

04.10.2021
Item No.4
Ct. No.7
CHC

**C.O.1736 of 2021
(Physical Hearing)**

**Shweta Loharuka
Vs.
Aditya Vikram Agarwal**

Mr. Abhijit Sarkar,
Mr. Raja Biswas
...for the petitioner

The Court is approached under Article 227 of the Constitution of India soliciting a direction to ensure expeditious disposal of a Matrimonial Suit No.2386 of 2018, now pending before the learned Additional District Judge, Fast Track Court-IV at Barasat.

Taking recourse to the aforesaid Matrimonial Suit, petitioner has sought for a declaration that the marriage between the petitioner and the respondent be declared as void marriage and nullity as well therefor.

Learned advocate, Mr. Abhijit Sarkar representing the petitioner submits that the instant suit was filed in the year 2018, and the other side has already appeared filing written statement to contest the case.

It is contended by the learned advocate for the petitioner that though the case is appearing at the

evidence stage, but till date no evidence has been recorded by the learned court below causing protraction to the trial of this case and thereby affecting adversely in respect of valuable rights of the petitioner.

In such context, learned advocate for the petitioner has proposed for recording a direction so that the pending Matrimonial Suit may be proceeded towards reaching logical conclusion of this case expeditiously.

In view of the nature of the order proposed to be made, and the issue sought to be addressed by this Court, the Court is of the view that the point may be decided right now, without securing presence of the opposite party, by giving a suitable direction for the purpose.

In view of the pendency of this case since 2018, and when the opposite party has entered his appearance by filing written statement, and thereafter, the case has posted for peremptory hearing, the instant revisional application be disposed of directing the learned court below to ensure expeditious disposal of the pending case, providing sufficient opportunity of hearing to either of the parties to this case, so that logical conclusion of this case may be reached at an early date.

The petitioner is directed to make communication of this order to the opposite party and his learned

advocate as well, apart from making communication to the learned court below for the purpose.

With the above observations/directions, the instant revisional application stands disposed of.

Urgent certified photostat copy of this order, if applied for, be given to the parties as expeditiously as possible on compliance of all necessary formalities.

(Subhasis Dasgupta, J.)