

05. 25.11.2021
Ct. No.21
BR

C.O. 1755 of 2021

Sandip Kumar Dutta
-Versus-
Smt Baishakhi Dutta (Nee Biswas)

(Through Video Conference)

Arif Ali

...for the Petitioners.

Learned advocate appearing for the petitioner submits that Misc. Case No. 446 of 2018 under Section 24 of the Hindu Marriage Act. is pending since long due to series of adjournment sought by the opposite party for hearing of the same. Consequently Mat Suit No. 123 of 2017 could not proceed further for hearing. Therefore, he prays necessary direction may be passed upon the learned Court below for expeditious disposal of the Misc. Case under Section 24 of the Hindu Marriage Act.

Since the petitioner has prayed for expeditious disposal of Misc. Case No. 446 of 2018 under Section 24 of the Hindu Marriage Act, there is no possibility of causing any prejudice to the opposite parties.

Further having regard to the nature of relief claimed, I see no reason to put the opposite parties on notice. Service of notice on the opposite parties is dispensed with.

Accordingly, C.O. No. 1755 of 2021 is hereby disposed of with a request to the learned Additional District Judge 10th Court Alipore, to dispose of the Misc. Case No. 446 of 2018 under Section 24 of the Hindu

Marriage Act, expeditiously and in any event, within a period of three month from the date of receipt of this order. Ld. Court below is to see the adjournment if prayed by parties be granted judiciously on some justifiable situation and not as a rule.

There will be no order as to costs.

Urgent Photostat certified copies of this order, if applied for, be given to the parties upon compliance of all requisite formalities.

All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Kesang Doma Bhutia, J.)