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AKG

24-12-2021
Ct.21

C.O. 1757 of 2021
Surojit Das
Versus
Trishita Nandy (Das)
(VIA VIDEO CONFERENCE)

Mr. Ashim Kumar Routh
...for the Petitioner
Mr. Balaram Neogi,
Mr. Tamal Nag
...for the Opposite Party

Learned advocate appears for the petitioner and
learned advocate appears for the opposite party.

By filing the present revisional application under
Article 227 of the Constitution of India, the petitioner
has prayed for expeditious disposal of Mat Suit No
1490 of 2019 along with Misc. Case No. 101 of 2020
pending before the learned Additional District Judge,
Fast Track 1st Court, at Barasat.

On the other hand, the learned advocate for the
opposite party/wife submits that the petitioner resides
in USA and he has filed Matrimonial Suit through his
father, his constituted attorney. The learned court
below is unable to hold any reconciliation between the
parties due to the petitioner being a resident of USA.

There is another petition under Section 36 of the
Special Marriage Act, for alimony pendente lite pending
before the learned Court below. Such application has to
be heard first before disposal of the matrimonial suit.

Since the petitioner has prayed for expeditious disposal of Misc. Case along with the main suit, this Court is of the view that such prayer is not likely to cause any prejudice to the opposite party/wife.

Therefore, the learned Additional District Judge, Fast Track 1st Court, at Barasat, North 24 Parganas is requested to dispose of the Misc. Case No. 101 of 2020 as expeditiously as possible and in any event, within a period of six months from the date of communication of this order, without granting any unnecessary adjournment to the either of the parties without any reasonable cause and thereafter dispose of the main suit as early as possible having regards to his/her Court diary.

Accordingly, the revisional application being **C.O. 1757 of 2021** is disposed of.

Interim order, if any, granted earlier stands vacated.

There shall be no order as to costs.

Parties are on act on the server copy of this order duly downloaded from the official website of this Court.

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

(Kesang Doma Bhutia, J.)