

05.10.2021
Item No.7
Ct. No.7
CHC

**C.O.1772 of 2021
(Physical Hearing)**

**Ayan Mondal
Vs.
Mrs. Suchandra Mondal (Maitra)**

Mr. Asis Bhattacharyya
...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.405 of 2018, now pending before the learned Additional District Judge, Kalyani, Nadia.

Mr. Asis Bhattacharya, learned advocate representing the husband submits that wife/opposite party has filed the instant suit against husband/petitioner seeking a decree of divorce upon dissolving the marriage held between the parties. The said suit was filed in the year 2018. The petitioner appeared in the suit in the capacity of the defendant and filed written statement to challenge divorce proceeding.

Subsequently, a prayer for *alimony pendente lite* was filed by the wife taking resort to Section 24 of the Hindu Marriage Act.

It is further submitted that petitioner/husband has been put to suffer extreme hardship due to the long pendency of this case, and in such context, has proposed for an innocuous direction for expeditious disposal of the pending matrimonial suit.

In view of the nature of the order proposed to be made, and the point sought to be addressed by this Court, the Court is of the view that it does not require any extensive hearing, and the same may be instantly disposed of giving a suitable direction therefor, even without securing presence of the opposite party/wife. Accordingly, service upon the opposite party has been dispensed with.

Learned court below is directed to dispose of the pending interlocutory application expeditiously as possible providing sufficient opportunity of hearing to either of the parties to this case, so that logical decision of the interlocutory application may be reached at an early date.

The Court reposes confidence upon the learned trial court that after the disposal of interlocutory applications, learned court below must put his sincerest endeavour to ensure early disposal of the pending Matrimonial Suit.

Petitioner is directed to make communication of this order to the opposite party/wife and her learned

advocate, apart from making independent communication to the learned court below.

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.)