

26.11.2021
(S/L-86)
Ct.-18
(Susanta)

(Via Video Conference)

C.O. 1882 of 2021

Smt. Chitrita Banerjee nee Roy

-Vs-

Sri Anup Kumar Roy

Mr. Biswajit Konar,

Mr. Arijit Mahinder,

.... For the Petitioner.

The order proposed to be passed in the present application under Article 227 of the Constitution of India would not cause any prejudice to the opposite party, as such, service of notice of the present application upon the said opposite party is dispensed with.

The matrimonial suit filed by the petitioner seeking dissolution of her marriage with the opposite party by a decree of divorce being Suit no. 948 of 2014, subsequently re-numbered as 92000 of 2014 is now pending disposal before the 10th Court of learned Additional District Judge, Alipore, District- 24 Parganas (South).

The petitioner is complaining inordinate delay in disposal of the said suit and is praying for a direction upon the learned Trial Judge for expeditious disposal of it.

It appears from the record that the evidence of the petitioner has already been completed and the learned Trial Judge is fixing dates for recording evidence of the opposite party but the same has not yet commenced.

The suit is pending since 2014. Record reveals that much time has been consumed to start the

evidence of the opposite party as such, his evidence must be recorded immediately without any further delay; any reluctance on the part of the husband/opposite party to adduce evidence shall result in closure of his evidence.

In view of the nature of relief sought for, the suit is required to be disposed of expeditiously.

The learned Trial Judge, therefore, is requested to dispose of the said suit expeditiously in accordance with law, preferably within a period of four available effective working months of the said Court from the date of communication of this order.

To adhere to the time limit fixed by this order for disposal of the said suit, the learned Trial Judge shall not grant any unnecessary adjournment to either of the parties.

The petitioner is required to communicate this order to the opposite party as well as his learned advocate in the Court below within a week from date.

C.O. 1882 of 2021 is disposed of with the above terms without any order as to costs.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(Biswajit Basu, J.)