

C.R.R. 3130 of 2019

In the matter of:- **Tapas Kumar Das**

Mr. Swapan Kr. Pal

...for the petitioner

This is an application seeking an expeditious disposal of a proceeding under Section 125 of the Code being M Case No. 160 of 2016 presently pending before the learned Chief Judicial Magistrate, Barasat, North 24 Parganas.

Learned counsel appearing on behalf of the petitioner submits as follows. The marriage between the petitioner and the opposite party no.1 took place in 2014. In 2015, she left him after about seven months of such marriage. In 2016, the opposite party no.2 filed the present application under Section 125 of the Code. Subsequently, an order of interim maintenance was granted in favour of the opposite party no.1. The petitioner is regularly paying the said amount. The opposite party no.2 is accepting such amount, but is avoiding to appear for adducing evidence in the impugned proceeding under Section 125 of the Code. Since 24.04.2019, at least 12 dates were fixed for evidence, but adjournments were sought. On the said dates, on some pretext of the other, the opposite party no.1 was able to

have the proceeding adjourned. In the interest of justice, the impugned proceeding ought to be expedited.

I have heard the submissions of the learned counsel appearing on behalf of the petitioner and have perused the revision petition.

No prejudice will be caused to any one, if a direction is passed for expediting the proceeding.

Whoever may be responsible for the delay caused in the present proceeding, the said proceeding is required to be expedited in the interest of justice because it is pending since 2016.

In view of the above and in the interest of justice, I request the learned trial Court to conclude the proceeding under Section 125 of the Code as expeditiously as possible without granting any unnecessary adjournment to any of the parties, preferably within a period of one year from the next date of hearing.

With these observations, the revisional application is disposed of.

Urgent photostat certified copies of this order may be delivered to the learned Advocates for the parties, if applied for, upon compliance of all formalities.

(Jay Sengupta, J.)