

09.04.2021
Sl. No. 9
srm

C.O. No. 4437 of 2019

Mr. Somnath Jana
Vs.
Ananya Jana (nee Halder)

Mr. Ivan Roy

...for the Petitioner.

Mr. Shekhar Barman

...for the Opposite Party.

Affidavit of service is taken on record.

This revisional application has been filed praying for expeditious disposal of an application under Section 24 of the Hindu Marriage Act along with Mat. Suit No.1890 of 2017.

It is contended by the petitioner that the matter was sent for mediation and mediation has failed as the wife failed to appear before the learned mediator.

I do not find any reason not to pass an order which would be beneficial for both the parties, that is, the application for maintenance *pendente lite* be disposed of expeditiously, preferably within a period of three months from the next date fixed. It is further ordered that the application for maintenance *pendente lite* should be disposed of on its own merits and upon allowing the parties to contest the same and by tendering evidence, if they wish to do so. Thereafter the matrimonial suit shall be disposed of within a reasonable time.

This Court has not gone into the merits of the claim and counterclaim of the parties and the learned Court below shall proceed independently and in accordance with law.

It is made clear that if any maintenance *pendente lite* is awarded by the learned Court below, the same should be paid as per the direction of the learned Court below. In case of default the portion of the order for expeditious disposal of the suit shall not be operative.

The revisional application is disposed of.

There will be, however, no order as to costs.

Urgent photostat certified copy of this order, if applied for, be given to the parties on priority basis.

(Shampa Sarkar, J.)