

09.02.2022
Ct. 21
D/L 17
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C.O. 166 of 2022
(Via Video Conference)

Moumita Mahanta
-Vs-
Abhijit Sil @ Avijit Sil

Mr. Sk. Toslim Ali,

... for the petitioner

Mr. Sk. Toslim Ali, learned advocate appears for the petitioner.

Record shows that the notice of this application has not been served on the opposite party.

The petitioner by filing the present application under Article 227 of the Constitution of India has prayed for expeditious disposal of the application under Section 25 of the Guardian and Wards Act, 1890 read with Sections 6 & 8 of the Hindu Minority and Guardianships Act, 1956 as well as the application for interim custody of children under Section 12 of the Guardian and Wards Act, 1890 in Misc. Case No. 70 of 2019, pending before the learned Additional District Judge, 1st Court at Howrah.

The learned advocate for the petitioner submits that the learned Court below has been granting unnecessary adjournments and due to which, there is a delay in disposal of the case and such delay is causing hardship to the petitioner.

Having regard to the nature of relief claimed by the petitioner, being a prayer for expeditious disposal of the interlocutory applications, I do not find any need to

serve notice of the present application on the opposite party and it is not likely to cause any prejudice to the interest of the opposite party. Therefore, service of notice upon the opposite party is dispensed with.

The learned Additional District Judge, 1st Court at Howrah, is requested to dispose of the application under Section 25 of the Guardian and Wards Act, 1890 read with Sections 6 & 8 of the Hindu Minority and Guardianships Act, 1956 as well as the application for interim custody of children under Section 12 of the Guardian and Wards Act, 1890 in Misc. Case No. 70 of 2019, as expeditiously as possible and in any event, within a period of three months from the date of communication of this order, without granting any adjournment whatsoever to any of the parties.

Accordingly, the revisional application being **C.O. 166 of 2022** is disposed of.

There shall be no order as to costs.

Parties are to 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.**)