

25.04.2022
Item No.2
Ct. No.7
CHC
(disposed of)

**C.O.292 of 2022
(Physical Hearing)**

**Dr. Bhaswati Bhattacharyya
Vs.
Sri Ratan Kumar Bhattacharyya**

Mr. Ivan Roy
...for the petitioner

Liberty is given to learned advocate for the petitioner to correct the prayer portion of the revisional application.

A direction to secure expeditious disposal of Matrimonial Suit vide Mat Suit No.1893 of 2018, pending before the learned Additional District & Sessions Judge, 6th Court, at Alipore, is the ultimate relief sought for in this case.

Admittedly, the suit for dissolution of marriage was instituted by the petitioner/wife against her husband in the year, 2018. Subsequently, a prayer for *alimony pendente lite* was filed in the year 2019, which was registered in connection with Misc.Case No.308 of 2019.

The only contention expressed by the learned lawyer for the petitioner is against the delay caused in the disposal of Misc.Case praying for *alimony pendente lite*.

In view of the nature of order proposed to be made in this case, no prior notice is considered to be necessary. Service upon the opposite parties is thus dispensed with.

Since a Misc.Case praying for *alimony pendente lite* vide Misc.Case No.308 of 2019 is pending, the suit cannot be proceeded without disposing of such prayer for *alimony pendente lite*.

Accordingly, learned Additional District Judge, 6th Court, Alipore, is directed to ensure expeditious disposal of Misc.Case No.308 of 2019, under Section 24 of the Hindu Marriage Act, praying for *alimony pendente lite*, providing sufficient opportunity of hearing to either of the parties to this case, but without granting any unnecessary adjournment, unless it is extremely unavoidable.

Petitioner is directed to make communication of this order to the learned court below as well as to the learned advocate appearing in the court below for the opposite party and opposite party.

With this observation/direction, the 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.)

