

11.03.2022
Ct. 21
D/L 160
ab

C.O. 509 of 2022

Kumud Deb (Somani)

-Vs-

Sambhu Deb

Mr. Amit Kumar Raidani,

... for the petitioner

Mr. Amit Kumar Raidani, learned advocate
appears for the petitioner.

Record shows that no notice of this application
has been served upon the opposite party.

The petitioner by filing the present application
under Article 227 of the Constitution of India has
prayed for expeditious disposal of Matrimonial Suit No.
204 of 2016 being heard analogously with Matrimonial
Suit No. 537 of 2016, pending before the learned Fast
Track First Court at Howrah.

The learned advocate for the petitioner submits
that a coordinate Bench of this Hon'ble Court in C.O.
1413 of 2020 on 12.11.2020 directed the learned Court
below to dispose of Matrimonial Suit No 537 of 2016 as
expeditiously as possible, preferably within a period of
six months from the date of communication of the
order, but the learned Court below has failed to comply
the said direction.

The learned advocate for the petitioner further
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 matrimonial suit, 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 Fast Track First Court at Howrah, is requested to dispose of Matrimonial Suit No. 204 of 2016 being heard analogously with Matrimonial Suit No. 537 of 2016, 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, as the suit is pending since 2016.

Accordingly, the revisional application being **C.O. 509 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.**)