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Ct. 18
05.04.2022

C.O. No. 603 of 2022

Sri Kaushik Sarkar
Vs.
Smt. Baisakhi Ghosh (Sarkar)

Mr. Kushal Chatterjee,
Mr. Debrup Choudhury ... For the petitioner.

Mr. Rakesh Singh ... For the opposite party.

Affidavit-of-service filed by Mr. Chatterjee is taken on record.

The petitioner has filed a matrimonial suit being Matrimonial Suit No. 108 of 2016 pending before the 5th Court of learned Additional District Judge at Barasat, District – 24 Parganas (North) praying dissolution of his marriage with the opposite party by a decree of divorce.

The application for alimony pendente lite filed by the opposite party in the said suit was disposed of by directing the petitioner to pay a consolidated sum of Rs. 12,500/- per month on account of alimony pendente lite to the opposite party and the minor daughter of the parties, a further sum of Rs. 10,000/- was directed to be paid on account of litigation expenses.

On the allegation of the opposite party that the petitioner is in default in payment of alimony

pendente lite, the further proceedings of the said matrimonial suit has been stayed.

Mr. Kushal Chatterjee, learned advocate for the petitioner submits that his client is present in Court and has brought a cheque amounting to Rs. 25,000/- which will liquidate the entire amount of arrear alimony pendente lite.

Mr. Rakesh Singh, learned advocate for the opposite party after going through the statement of account on the arrear alimony prepared by Mr. Chatterjee ratifies the correctness of the said statement and submits that payment of said sum of Rs. 25,000/- will satisfy the arrear amount of alimony pendente lite.

Mr. Chatterjee hands over a cheque of the said sum of Rs. 25,000/- bearing cheque no. 933372 dated 05.04.2022 drawn on State Bank of India, Alambazar (Calcutta Branch) in the name of the opposite party.

Mr. Singh accepts the said cheque on behalf of his client.

Subject to encashment of the said cheque, the application filed by the petitioner shall stand disposed of and the suit shall proceed.

The suit is pending since 2016 and has reached to the stage of conclusion of the evidence of the petitioner, the learned Trial Judge, therefore, is requested to dispose of the said suit as expeditiously as possible in accordance with law preferably within a

period of three available effective working months of his Court from the date of communication of this order and in doing so shall not grant any unnecessary adjournment to either of the parties.

It is however made clear the direction for expeditious disposal of the said suit is subject to the condition that the petitioner paying alimony pendente lite timely and without any default.

Mr. Chatterjee on instruction of his client submits that his client shall pay the education expenses of his daughter subject to production of proof of said expenses but his client may be allowed to see his daughter.

This Court appreciates such good gesture of the petitioner. The opposite party shall not deny the access of the petitioner, if asked for and the petitioner on production of the proof regarding education expenses of the daughter of the parties, shall pay the same to the wife through her bank account. The said payment shall be in addition to the amount of alimony pendente lite awarded in favour of the opposite party.

C.O. 603 of 2022 is disposed of with the above terms without any order as to costs.

Urgent Photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(Biswajit Basu, J.)

