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2022

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C.O. 776 of 2022

**Sri Ajoy Pal
Vs.
Smt. Rubi Pal (nee Kundu)**

Mr. Shuvanil Chakraborty.

... For the petitioner.

A direction to secure expeditious disposal of a Matrimonial Suit No. 26 of 2010, now pending before the learned Additional District Judge, 1st Court, at Barasat is the ultimate relief sought for in this case.

Mr. Shuvanil Chakraborty, learned advocate appearing for the petitioner submits that there has been multiple directions given from this Court, requiring the Court below to ensure expeditious disposal.

The only contention expressed by the learned advocate for the petition is against the delay caused in the disposal of the suit, originally instituted in the year 2008.

It is also submitted by the learned advocate for the petitioner that an interlocutory application praying for realization of arrears of rent with an alternative prayer for stay of the suit is pending for decision, to be rendered by the learned court below.

In view of the nature of the order proposed to be made in this case, no prior notice is considered to be necessary.

The service upon the opposite parties is thus dispensed with, so far as the present revisional application is concerned.

Accordingly learned Additional District Judge, 1st Court, at Barasat in Matrimonial Suit No. 26 of 2010 is requested to ensure expeditious disposal of pending Matrimonial Suit referred hereinabove, after causing disposal of interlocutory application, providing sufficient opportunity of hearing to either of the party to this case, but without granting unnecessary adjournment, unless it is extremely unavoidable

While endeavouring such exercise, the year of institution of the pending Matrimonial Suit may be taken into account, and the learned court below may proceed with the disposal of suit in the manner, as situation of the case would demand, so as to dispense with the justice in a best possible manner.

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 the opposite party as well.

With this observation and direction, the revisional application stands disposed of.

Urgent photostat certified copy of the order, if applied for, be given to the parties on usual undertakings

(Subhasis Dasgupta, J)

