

06.05.
2022

CRR 1553 of 2022

In the matter of:- Bipasha Dasgupta Choudhury

Ms. Manaswita Mukherjee
.....for the petitioner

This is an application seeking an expeditious disposal of a proceeding initiated by the petitioner under the provisions of Protection of Women from Domestic Violence Act.

Learned counsel for the petitioner submits as follows. The petitioner had filed an application under Section 12 of the Protection of women from Domestic Violence Act read with Sections 18 to 23 of the said Act on 07.09.2019. Yet, till date the proceeding could not be concluded. Even the prayer for interim monetary relief in respect of the petitioner and her 4 years old child could not be decided by the learned trial court till date. The respondents, therein, are taking adjournments on the ground of filing affidavits of assets and the like and protracting the case. The petitioner and her minor child are living in penury. Long dates are being fixed in this case. The proceeding has remained pending for no fault of the present petitioner. The next date before the learned trial court is fixed on 23rd June, 2022.

I have heard the submissions of the learned counsel appearing on behalf of the petitioner and have perused the revision petition.

No prejudice will be caused to anyone if a direction is passed to expedite the proceeding.

It is unfortunate that the prayer for interim monetary relief could not be decided by the learned trial court till date. The case was filed in 2019. Yet, there has been no significant progress in the same.

In view of the above and in the interest of justice, I request the learned trial court to conclude the proceeding in the main matter as expeditiously as possible without granting any unnecessary adjournment to any of the parties and by fixing shorter dates and in particular, to decide the question of interim maintenance allowance regardless of filing of affidavits of assets and liabilities, which in such event would be considered at the time of hearing of the main matter, preferably within a period of two months from the next date of hearing.

With these observations, the revisional application is disposed of.

Urgent photostat certified copy of this order may be supplied to the parties expeditiously, if applied for.

(Jay Sengupta, J.)