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C.O. 2189 of 2022

Mr. Abani Bhusan Mukherjee
Vs
Mrs. Nibedita Mukherjee

Mr. Debjit Mukherjee,
Ms. Susmita Chatterjee,
Ms. Dipanwita Ganguly, ... For the petitioner.

A direction to secure expeditious disposal of a Matrimonial Suit No. 26 of 2016 pending before the learned Additional District Judge, 11th Court, Alipore, is the ultimate relief sought for in this case.

Ms. Susmita Chatterjee, learned advocate being led by Mr. Debjit Mukherjee, learned advocate for the petitioner, upon adverting to several directions passed by this Court, submits that logical conclusion of the suit has not yet been reached, doing sincerest compliance of the direction passed by this Court, latest on 7th August, 2019 in C.O. 2604 of 2019.

It is submitted by the petitioner that the suit was directed to be disposed of positively within six months from the date of communication of the order, which appears to be mandatory in nature and without doing adherence to the direction, the Court below is proceeding in a casual manner without disposing of the suit.

As per submission disclosed by Ms. Susmita

Chatterjee, presently the Court is lying vacant.

The moment when there was direction to ensure expeditious disposal, there was regular Presiding Officer posted.

No other point is raised requiring address by this Court

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

Service upon the opposite party is thus dispensed with.

Accordingly, learned Additional District Judge, 11th Court, Alipore in Matrimonial Suit No. 26 of 2016 is requested to ensure expeditious disposal of the Matrimonial Suit, without granting unnecessary adjournment, having understood the purport and message communicated to the Court below, latest by order passed by this Court in C.O. 2604 of 2019.

This would not, however, present the learned Court remaining in-charge of the Court of learned Additional District Judge, 11th Court, Alipore to ensure expeditious disposal of the suit, subject to his suitability and convenience, preferably before the end of December, 2022.

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.

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)