

22.08.2022
Item No.17
Ct. No.7
CHC
(disposed of)

C.O.2215 of 2022

Mrs. Joyita Bandyopadhyay
Vs.
Chandra Nath Bandyopadhyay

Mr. Avijit Roy,
Mr. Indrajit Sen,
Mr. Subhas Medda
...for the petitioner

The petitioner assails order dated 23rd June, 2022, passed in Misc. Case No.25 of 2022 keeping the prayer for *alimony pendente lite* pending.

Mr. Avijit Roy, learned advocate appearing for the wife/petitioner submits that prayer for *alimony pendente lite* under Section 24 of the Hindu Marriage Act was filed on 21st of February, 2022, but till date such application has not yet been disposed of.

It is also submitted by the learned advocate for the petitioner that husband has already furnished written objection against the prayer for *alimony pendente lite*.

The only contention thus expressed by the petitioner is that the court below is going ahead with the Matrimonial Suit upon examining witnesses, but without deciding the prayer for *alimony pendente lite* registered as Misc. Case mentioned hereinabove, which is contrary to law.

No other point is raised requiring address by this Court.

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

Service upon the opposite party stands dispensed with.

Accordingly, learned Additional District Judge, Fast Track 2nd Court, Hooghly, is requested to ensure expeditious disposal of prayer for *alimony pendente lite* filed by the petitioner/wife registered as Misc. Case No.25 of 2022, prior to making disposal of Matrimonial Suit No.349 of 2021, providing sufficient opportunity of hearing to either of the parties to this case, but without granting any unnecessary adjournment, unless it is extremely unavoidable.

Petitioner is directed to make communication of this order to the learned court below as well as to the opposite party and his learned advocate in the court below.

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

Urgent certified photostat copy of this order, if applied for, be given to the parties as expeditiously as possible on compliance of all necessary formalities.

(Subhasis Dasgupta, J.)

