

25.08.2022
Item No.25
Ct. No.7
CHC
(disposed of)

C.O.2538 of 2022

Sri Shirsendu Dutta
Vs.
Smt. Srabanti Dutta

Mr. Aniruddha Chatterjee,
Mr. S. K. Banerjee
...for the petitioner

A direction to secure expeditious disposal of Mat Suit No.113 of 2017, pending before the learned Additional District and Sessions Judge, Fast Track Court-I, Sealdah, South 24 Parganas, is the ultimate relief sought for in this case.

Mr. Chatterjee, learned advocate appearing for the petitioner submits that the pending Mat Suit is relatable to custody matters with a prayer for visitation right by petitioner/father.

The only contention expressed by Mr. Chatterjee is against the delay caused in the disposal of application for visitation right, pending decision of Matrimonial Suit.

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.

Since 15th September, 2022 is the next date fixed before the court below, it will be wise to dispose of the present revisional application, directing the court below to dispose of the Mat. Suit being Mat. Suit No.113 of 2017 expeditiously as possible, providing sufficient opportunity of hearing to either of the parties to this case, but without granting any unnecessary adjournment, unless it is extremely unavoidable.

Since visitation right has been sought to be obtained in the pending Matrimonial Suit, petitioner is given liberty to file an application for preponement, if not already filed in the meantime, upon notice to the opposite party, seeking interim visitation right at least before the next scheduled date, and if any such application is filed, that may be addressed by the court below giving a hearing for the purpose.

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

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

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.)