

24.1.2023  
23  
Ct. no. 652  
sb

**C.O. 164 of 2023**

**Sri Sagar Sadhukhan**  
**Vs.**  
**Smt. Payel Sadhukhan**

Mr. Arnab Mukherjee                      ...for the petitioner

This is an application under Article 227 of the Constitution of India seeking expeditious disposal of the MAT suit no. 1347 of 2022 renumbered as MAT suit no. 863 of 2017 pending before the court of learned Additional District Judge, 3<sup>rd</sup> Court, Barrackpore, North 24 parganas.

The petitioners contended that the petitioner being the husband of the opposite party filed aforesaid suit for dissolution of marriage on the ground mentioned in the suit. The opposite party appeared in the said suit on 23.11.2017 and filed written statement. The court below fixed the date for framing of issue on 8.5.2018 and since then the issues have not yet been framed and as such seeks for necessary direction.

Since the prayer made by the petitioner is very innocuous and if it is heard and disposed of in terms of prayer, neither party will have a cause to prejudice, service of copy of the application and notice to the opposite party is hereby dispensed with.

In view of above, C.O. 164 of 2023 is disposed of with a direction upon the learned Additional District Judge, 3<sup>rd</sup> Court, Barrackpore, North 24 parganas to frame issue on the next date which is fixed on 7.2.2023 before the trial court and if not framed on that date for some reason or other, it will be framed by the court below within a period of four weeks from the date of communication of the order and the court below will make every endeavour for expeditious disposal of the suit and to conclude the entire proceeding preferably within a period of one year from the date of communication of the order.

Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance of all requisite formalities.

**(Ajoy Kumar Mukherjee, J.)**