

Court No. 652

CO 222 of 2020

14.03.2023

(AD 26)

(S. Banerjee)

Mili Bhunia

Vs.

Sugam Bhunia alias Sugam Kumar Bhunia

Mr. Moloy Roy

... for the petitioner

This is an application under Article 227 of the Constitution of India being aggrieved by the delayed trial of the suit by 14th Additional District Judge at Alipore in connection with Matrimonial Suit No. 3279 of 2018.

It is submitted on behalf of the wife/petitioner that the suit was instituted sometime in the month of September, 2018 and since then the suit is pending in that court and the evidence has not yet been completed. Accordingly, she has sought for a direction upon the court below for early disposal of the said suit.

Since the prayer made by the petitioner/wife is innocuous and if the present revisional application is being disposed of in terms of the prayer made in the revisional application, neither party will have a cause to prejudice the service of copy of the revisional application and the notice upon the opposite party is dispensed with.

In view of the aforesaid facts and circumstances of the case and considering age of the suit, the prayer made herein is justified. The learned Additional District Judge 14th Court at Alipore is hereby directed to make every endeavour to dispose of the Matrimonial Suit No. 3279 of 2018 pending before the said court as expeditiously as possible and to conclude the entire proceeding of the suit, preferably within a period of eight months from the date of communication of the order, without granting any unnecessary adjournment to either of the parties, taking aid from Order XVII Rules 1, 2 and 3 of the Code of Civil Procedure.

CO 222 of 2020 is accordingly disposed of.

(Ajoy Kumar Mukherjee, J.)