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C.O. 266 of 2022

Sameer Nairantarya

-vs-

Munmun Nairantarya nee Mondal.

Mr. Arnab Das

Ms. Epsita Bhattacharyya

...for the petitioner

This is an application under Article 227 of the Constitution of India seeking expeditious disposal of the Matrimonial Suit No. 42 of 2020 presently pending before the Court of learned Additional Principal Judge, Family Court at Calcutta.

Petitioner contended that the petitioner filed aforesaid Matrimonial Suit, praying for a decree of divorce in the Court of learned Principal Judge, Patiala House Court, New Delhi against the opposite party and the opposite party entered appearance in the said suit and is contesting the case. During continuance of the said proceeding, the Principal Judge, Patiala House Court, New Delhi as per order of the Apex Court, transmitted case record of said Matrimonial Suit to Family court, Kolkata for disposal. After such transfer before the Additional Principal Judge, Family Court at Calcutta said suit renumbered as Matrimonial Suit No. 42 of 2020.

It is alleged on behalf of the petitioner that the opposite party with a malafide intention is causing delay in

the said proceeding and the opposite party remained absent in the conciliation process and trying her best to linger the Matrimonial proceeding. Accordingly, the petitioner states that the opposite party with an ill intention to delay the proceeding of the suit is taking unnecessary adjournments day by day despite the order of the learned Principal Judge, Family Court at Calcutta to attend the re-conciliation proceeding. Accordingly, he prayed for expeditious disposal of the suit.

Since the prayer made by the petitioner is innocuous and if the said petition is taking up for hearing in terms of the prayer made therein, neither party will have a cause to prejudice and in such view of the matter, service of notice of the revisional application and the notice upon the opposite party is hereby dispensed with.

C.O. 266 of 2022 is hereby disposed of with a direction upon the learned Additional Principal Judge, Family Court at Calcutta to make every endeavour for expeditious disposal of the Matrimonial Suit No. 42 of 2020 and to conclude the entire proceeding of the suit preferably within a period of ten months from the date of communication of this order.

Urgent photostat certified copies of this order may be delivered to the learned Advocates for the parties, if applied for, upon compliance of all formalities.

(Ajoy Kumar Mukherjee, J.)