

October 11, 2023
Sl. No.42
Court No.19
s.biswas

CO 921 of 2023

Aditya Bera
vs.
Ajanta Bera (Paul)

Mr. Shubham Gupta
Md. Shamimuddin
Mr. Raunak Shaw

... for the petitioner

The petitioner is the husband, who prays for expeditious disposal of Matrimonial Suit No.1417 of 2015, which is pending before the learned Additional District Judge, 1st Court at Barasat, North 24 Parganas. It is submitted that maintenance pendente lite, is being paid regularly. It is also submitted that the suit is at the stage of recording evidence.

Under such circumstances, this court is of the view that justice would be subserved, if the learned court below is directed to dispose of the pending suit, expeditiously.

This court has not gone into the merits of the suit. An order of expeditious disposal of any litigation, enures to the benefit of all the parties. Hence, prior service of this revisional application upon the opposite party, would not be necessary. The prayer is innocuous.

Under such circumstances, the revisional application is disposed of, with a direction upon the learned court below to dispose of the suit within a year from the next date fixed, without granting

unnecessary adjournments to either of the parties, subject to the condition that the husband continues to pay the maintenance pendente lite as directed by the learned court below.

It is made clear that in default of payment of any of the instalments/monthly maintenance, the suit shall automatically remain stayed.

The learned court below shall proceed strictly in accordance with law and independently.

Petitioner is directed to serve a copy of this revisional application along with the server copy of this order upon the opposite party.

Accordingly, the revisional application is disposed of.

All the parties are directed to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)