

28.06.2023
Sl. No.300(DL)
srm

C.O. No. 1092 of 2023

Bijay Kumar Shaw

Versus

Smt. Renu Chowdhury

Mr. Sounak Bhattacharya,
Mr. Chandra Nath Sarkar,
Mr. Sounak Mandal,
Mr. Anirban Saha Ray

...for the Petitioner.

The husband in Matrimonial Suit No.66 of 2016, which is pending before the learned Additional District Judge, Fast Track (2nd Court) at Barrackpore, North 24-Parganas, prays for expeditious disposal of the said matrimonial suit.

It is submitted that on the failure of the wife to attend the proceedings a cost of Rs.1,000/- was imposed. It is further submitted that the wife was directed to show cause as to why the suit should not proceed in her absence. The answer to the show cause notice was filed and the same was accepted upon payment of cost of Rs.150/-. It is the specific contention of the husband that the application for maintenance *pendente lite* has not been filed.

However, without going into the entire case records, this Court is not in a position to form an opinion as to whether any maintenance *pendente lite* had been awarded by the

learned court or not. No such order is available from the records.

However, considering the age of the suit, this Court is of the view that the matrimonial suit should be disposed of expeditiously, since it is pending from 2016, but in accordance with law.

An order of expeditious disposal of any litigation enures to the benefit of all the parties and hence prior service of this revisional application upon the opposite party is not required. 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 matrimonial suit along with the pending applications, if any, within a period of six months from the next date fixed, strictly in accordance with law and independently. Unnecessary adjournments shall not be granted to any of the parties.

Considering the age of the suit, the time period shall be treated as mandatory.

This Court has not gone into the merits of the suit.

A copy of the revisional application along with a server copy of this order be served upon the opposite party within a week.

The revisional application is, thus, disposed of.

There will be, however, no order as to costs.

Parties are to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)