

03.10.2023
Sl. No.2&3(DL)
srm

C.O. No. 1097 of 2023
Sri Tushar Kanti Mahanta
Versus
Smt. Baishakhi Mukherjee

With

C.O. No.1855 of 2023
Baisakhi Mukherjee
Versus
Sri Tushar Kanti Mahanta

Mr. Abhishek Halder,
Mr. Swadesh Misra,
Ms. Madhurima Basu

...for the Petitioner in CO 1097 of 2023
& Opposite Party in CO 1855 of 2023.

Mr. Manas Dasgupta

...for the Petitioner in CO 1855 of 2023
& Opposite Party in CO 1097 of 2023.

Both the revisional applications are taken up together, as
the issues involved are similar.

The husband filed Matrimonial Suit No.161 of 2022 for
restitution of conjugal right, which is pending before the
learned Additional District Judge, 2nd Court, Bankura. The wife
filed Matrimonial Suit No.75 of 2018 for dissolution of
marriage. The said suit is also pending before the learned
Additional District Judge, 2nd Court, Bankura.

The parties have each preferred their revisional
applications. One is seeking transfer of the matrimonial suit

and the other seeks expeditious disposal of the suit. The revisional applications were heard and the court desired the presence of parties as the matters were highly contentious.

The parties are present in Court today and they are represented by their respective learned Counsel. The parties have expressed their mind to settle all their disputes by filing a joint application for divorce.

As both learned Counsel have intervened and the matter is near resolution, this Court directs that the parties should approach the learned District Judge, Bankura with their joint application for dissolution of marriage and also simultaneously withdraw the pending litigations. The learned District Judge, Bankura, shall pass necessary orders.

Both the revisional applications are, thus, disposed of.

There shall be no order as to costs.

Learned Advocates shall ensure a resolution congeniality.

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

The learned District Judge and the learned trial court shall also act on the server copy of this order.

(Shampa Sarkar, J.)