

Item No. 28
03.10.2023
Court. No. 19
GB

C.O. 1320 of 2023

Dr. Rajarshi Chakravarty
Vs.
Smt. Sneha Chakraborty

Ms. Subhasri Chatterjee

...for the Petitioner.

The husband is the petitioner, who filed the Matrimonial Suit No.1083 of 2021. The suit is pending before the learned Additional District Judge, 3rd Court at Alipore.

The husband is aggrieved by some observation with regard to his conduct in the suit. The learned court below recorded that the husband was intentionally delaying the matter and his conduct indicated his disinclination to pay alimony to the wife.

In my opinion, such finding of the court are based on the conduct of the parties before the learned court which cannot be adjudicated by this Court in the absence of evidence.

The learned advocate informs the court that the misc. case has been disposed of and the husband is paying the maintenance pendente lite as directed by the learned court below.

In any event, this Court is of the view that the matrimonial suit should be disposed of on its own merits, strictly in accordance with law and the learned trial judge shall not be influenced by any observations made in the order impugned. The suit shall be disposed of provided the

maintenance pendente lite is being paid as directed by the learned court below. The petitioner shall not pray for unnecessary adjournments.

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.)