

June 20, 2023
Sl. No.179
Court No.19
s.biswas

CO 1531 of 2023

Dr. Somnath Sengupta
vs.
Sushmita Pal

Mr. Robert D Rozario
Ms. Ameena Kabir

... for the petitioner

The husband in the Matrimonial Suit No.2106 of 2017 is the petitioner and prays for expeditious disposal of the said suit. The suit is pending before the learned Additional District Judge, 3rd Court, Alipore, District 24 Parganas (South).

It is contended that due to pendency of the Misc. Case No.20 of 2018, the progress of the matrimonial suit has been delayed.

Learned advocate for the petitioner submits that the Misc. Case No.20 of 2018 is at the stage of cross-examination of the husband.

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 Matrimonial Suit No.2106 of 2017, expeditiously along with the pending application.

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.

The revisional application is disposed of with direction upon the learned court below to dispose of the Misc. Case No.20 of 2018 within a period of four months from the next date fixed and upon disposal of the said application, the Matrimonial Suit No.2106 of 2017 should be disposed of within a year thereafter, without granting unnecessary adjournments to either of the parties. The husband should pay the maintenance pendente lite and litigation cost, if awarded by the learned court below upon conclusion of the Misc Case. In case of failure to pay, the suit shall not proceed.

Petitioners are 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.)