

02.08.2023
Court No. 19
Item No.75
CP

C.O. 1892 of 2023

Sri Dilip Majumdar

Vs.

Smt. Hemasashi Majumder (Aain)

Ms. Smita Pal

...for the petitioner.

The petitioner is the husband in Matrimonial Suit No. 04 of 2017, which is pending before the learned Additional District Judge, 1st Court, Serampore, Hooghly.

The petitioner prays for expeditious disposal of the said suit. It is also submitted that maintenance pendente lite, as directed by the learned court below, is being paid regularly. The suit is at the stage of evidence.

The prayer of the petitioner is innocuous. Neither party stands to lose if a proceeding is disposed of expeditiously. In fact, such expeditious disposal shall enure to the benefit of the parties and hence, there is no requirement for service of prior notice upon the opposite party.

The revisional application is disposed of with a direction upon the learned court below to dispose of the suit within a period of six months from the next date fixed, upon granting adequate opportunity to the parties to contest the same, provided the

husband continues to pay the maintenance pendente lite. In case of default, the said suit shall be stayed.

This court has not expressed any opinion on the merits of the suit. The learned court shall proceed independently and in accordance with law.

A copy of the revisional application, along with a server copy of this order, be served upon the opposite party and/or the learned advocates contesting the matter on behalf of the opposite party in the learned court below, within a week.

The revisional application is accordingly disposed of.

There shall be no order as to costs.

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

(Shampa Sarkar, J.)