

September 6, 2023
Sl. No.175
Court No.19
s.biswas

CO 1924 of 2023

Smt. Anjana Majumder
vs.
Sri Indrajit Majumder

Mr. Siddhartha Sarkar
Mr. Hirak Roy

... for the petitioner

The wife seeks transfer of the Matrimonial Suit No.789 of 2018, on the ground that the learned court below had caused inordinate delay in disposing of the application for maintenance pendente lite as also the execution proceedings, filed by the wife.

The wife submits that the husband is working in the Army and is posted at Jammu and Kashmir. Not a single farthing has been paid towards the ad interim maintenance as directed by the learned court below. The main application for maintenance pendente lite is pending.

The proceedings are at the stage of evidence. At this stage, transfer of the suit would only cause additional difficulties to the parties.

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 pending miscellaneous cases on an urgent basis.

This court has not gone into the merits of the misc. cases. An order of expeditious disposal of any

litigation, enures to the benefit of all the parties. The prayer is innocuous and very reasonable.

Thus, the revisional application is disposed of with a direction upon the learned Additional District Judge, Fast Track, 5th Court at Barasat, North 24 Parganas, to dispose of the Misc. Case No.84 of 2023 as also the application for execution, within a period of three months from the next date fixed.

The learned court below shall proceed strictly in accordance with law and independently.

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.)