

07.07.2023
Court No. 19
Item no.24
CP

C.O. No. 2098 of 2023

Biplab Ghosh

Vs.

Dhitashree Ghosh & anr.

Mr. Rabindra Narayan Dutta

Mr. Sibasis Ghosh

Mr. H. K. Halder

Mr. A. Mukherjee

Mr. Soham Banerjee

...for the Petitioner.

The petitioner seeks expeditious disposal of Misc. Case No. 01 of 2019 (Act VIII), which is pending before the learned District Judge, Malda. The petitioner contends that the said case is pending since long.

Evidence is going on and it appears that July 20, 2023 has been fixed as the next date. The proceedings have been fixed in the peremptory board. Considering the fact that the custody application is pending for the past four years and the opposite party has not been regular in appearing before the court, this court deems it fit that for ends of justice Act VIII case should be disposed of within six months from the next date fixed, upon giving the opposite parties adequate opportunity to contest the same.

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 parties.

This court has not expressed any opinion on the merits of the said case. 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 parties and/or the learned advocates contesting the matter on behalf of the opposite parties 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.)