

September 14, 2023
Sl. No.241
Court No.19
s.biswas

CO 2229 of 2023

Jayant Shekhar
vs.
Smt. Neha Gupta

Mr. Subhadeep Ghosh

... for the petitioner

Mr. Sabir Ahmed

Mr. T. Ahmed

Mr. Dhiman Banerjee

Mr. Soham Chakraborty

... for the opposite party/wife

The petitioner is the husband who prays for the expeditious disposal of the Matrimonial Suit No.1275 of 2018, which is pending before the learned Additional District Judge, 3rd Court, Howrah. The suit is for restitution of conjugal rights. It is submitted that maintenance pendente lite is being paid regularly to the wife.

The learned advocate for the wife submits that there are some applications pending, which the petitioner opposes.

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 suit, on an urgent basis. The suit is at the stage of evidence.

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. The prayer is innocuous and very reasonable.

The revisional application is disposed of with a direction upon the learned court below to make an endeavour to dispose of the suit along with the application, if any, within six months from the next date fixed, without granting unnecessary adjournments to either of the parties, provided the husband is paying the maintenance pendente lite regularly as directed by the learned court below. In case of failure to pay maintenance pendente lite, the suit shall not proceed.

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.)