

05.09.2023
Court No. 19
Item no. 165
CP

C.O. No. 2539 of 2023

Smt. Jayeeta Bhaumik (Ghosh)
Vs.
Sri. Saikat Bhaumik

Mrs. Shohini Chakrabarty
Ms. Prajaaini Das

... for the Petitioner.

The petitioner is the wife in Matrimonial Suit No. 2841 of 2011, which is pending before the learned Additional District Judge, Ninth Court at Alipore. The petitioner prays for expeditious disposal of the application filed under Section 36 of the Special Marriage Act, 1954 which has been registered as Misac. Case No. 8 of 2013.

It is submitted that evidence of the husband is going on.

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 application, within a period of two months from the next date fixed, upon granting adequate opportunity to the parties to contest the same.

This court has not expressed any opinion on the merits of the application. 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 advocate 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.)