

Item No.48
11.10.2023
Court. No. 19
GB

C.O. 2586 of 2023

Amit Debnath
Vs.
Shrimati Payel Debnath

Mr. Sanjib Dawn

...for the Petitioner.

By this application, the petitioner seeks expeditious disposal of Misc. Case No.57 of 2014, which is pending before the learned Additional District Judge, 2nd Court at Barrackpore.

The petitioner submits that an application for modification of the interim visitation granted to the father is pending.

Considering the submissions, the Court is of the view that 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. Thereafter, the misc. case shall be disposed of within a period of six months from the disposal of the application. Adequate opportunity shall be granted to the parties to contest the same.

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 advocate contesting the matter on behalf of the opposite party in the learned court below.

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.)