

04.09.2023
Sl. No.29(DL)
srm

C.O. No. 2696 of 2023

Khushboo Sikkhwal

Versus

Aaditiyae D. Sikkhwal @ Akshay Kumar Sikkhwal

Mr. Kushal Chatterjee,
Mr. Ajit Kumar Chaubey,
Mr. Vinayak Chaubey,
Ms. Suparna Kundu

...for the Petitioner.

The petitioner is the wife who seeks expeditious disposal of Matrimonial Suit No.33 of 2020, which is pending before the learned Additional District Judge, 5th Court at Barasat, North 24-Parganas, now transferred to the learned Additional District Judge, 6th Court at Barasat, North 24-Parganas.

It is submitted that the suit was fixed for reconciliation. The reconciliation failed. The suit was sent before the learned mediator. Mediation failed. Again, the suit has been fixed for reconciliation.

Records annexed to the revisional application however, do not indicate the fate of the mediation. The learned Advocate has produced a case status details from which it appears that the matter had been fixed for reconciliation twice,

but there is no mention about the mediation proceeding. Thus, this Court is unable to ascertain the exact status of the proceedings.

It is further submitted that the learned 6th court of the Additional District Judge, Alipore, North 24-Parganas, is vacant. It is submitted by the learned Advocate appearing on behalf of the wife, that for security and safety, it was necessary that the suit be disposed of at an earlier date.

The correctness of the statements cannot be gone into by this Court. However, there is no reason as to why the suit should not proceed expeditiously, if the mediation fails.

An order of expeditious disposal of any litigation enures to the benefit of all the parties and hence prior service of this revisional application upon the opposite party is not required. The prayer is innocuous.

Under such circumstances, this Court requests the learned Additional District Judge, 5th Court, Barasat, South 24-Parganas (charge court), to make a serious endeavour to dispose of the suit expeditiously upon receipt of the report of the mediation, independently and strictly in accordance with law.. This Court hopes that the suit may be disposed of within a year from date.

This Court has not gone into the merits of the suit.

A copy of the revisional application, along with a server copy of this order, be served upon the opposite party within a week.

The revisional application is, thus, disposed of.

There will be, however, no order as to costs.

Parties are to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)