

25.08.2023
Court No. 19
Item no.37
CP

C.O. No. 2864 of 2023

Mousumi Das

Versus

Debanshu Das

Mr. Sanjib Das

Mr. Madhusudan Mukhopadhyay

...for the Petitioner.

The petitioner prays for expeditious disposal of the application under Section 24 of the Hindu Marriage Act along with the Matrimonial Suit No. 1578 of 2020, which is pending before the learned Additional District Judge, 11th Court at Alipore.

It appears that the application for maintenance pendente lite has been filed only in 2023.

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 said application, preferably within a period of six months from the next date fixed, upon granting adequate opportunity to the parties to contest the

same. Thereafter, the suit shall proceed and be disposed of within a year.

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