

13.09.2023
Court No. 19
Item no.242
CP

C.O. No. 3146 of 2023

Sri Shib Sankar Banik
Vs.
Smt. Papiya Banik

Mr. Sounak Bhattacharya
Mr. Sounak Mandal

.....for the petitioner.

The petitioner prays for expeditious disposal of Matrimonial Suit No. 1524 of 2022, which is pending before the learned Additional District Judge, Fast Track 3rd Court at Barackpore.

It is submitted that the wife was delaying the matter. The suit was running ex parte. On the prayer of the wife, the suit was removed from the ex parte board. It is further submitted that no applications are pending before the learned court below.

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. 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 suit within one year 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 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.)