

11.12.2023
Court No. 19
Item no.267
CP

C.O. No. 3531 of 2023

Anirban Chattopadhyay
Vs.
Mrs. Sanhita Das

Ms. Deblina Lahiri
Mr. Mrinmoy Chatterjee
.....for the petitioner.

The petitioner prays for expeditious disposal of Matrimonial Suit No.2628 of 2019, which is pending before the learned Additional District Judge Fast Track, 3rd Court, Barrackpore.

It appears that an application for maintenance pendente lite is also pending.

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. 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 for maintenance, within six months from the next date fixed. Adequate opportunity shall be granted to the parties to contest the same.

If the petitioner continues to pay the amount that may be directed by the court as maintenance

pendente lite, the hearing of the suit shall be expedited and disposed of within the next two years.

In case of failure of the husband to pay the amount, the suit shall remain stayed.

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.)