

Item No.277
18.12.2023
Court. No. 19
SKB

C.O. 3595 of 2023

Sri Kamal Karmakar
Vs.
Smt. Ruma Karmakar

Mr. Debasis Kar

...for the Petitioner.

By this application the petitioner prays for expeditious disposal of the Matrimonial Suit No.126 of 2017, which is pending before the learned Additional District Judge, Fast Track 1st Court at Barrackpore.

It is submitted that a connected application under Order 6 Rule 17 of the Code of Civil Procedure is pending.

Considering the submissions, this 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. 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 three months from the next date fixed. Adequate opportunity shall be given to the opposite party to file written objection to the said application. Upon disposal of the application, matrimonial suit shall be disposed of within a year, provided the husband continues to pay the maintenance pendente lite as directed by the learned

court or as may be directed by any court of competent jurisdiction.

In case of default, the suit shall be made stayed.

This court has neither expressed any opinion on the merits of the application nor 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.)