

Item No.280
06.12.2023
Court. No. 19
GB

C.O. 3750 of 2023

Meghdeep Biswas
Vs.
Smt. Dishari Biswas (nee Bramha)

Mr. Prasad Bhattacharyya

...for the Petitioner.

The petitioner is the husband who has prayed for expeditious disposal of an application for amendment of the petition, filed in connection with Matrimonial Suit No.138 of 2021, which is pending before the learned Additional District Judge, Fast Track 1st Court at Sealdah.

The petitioner contends that no application seeking maintenance pendente lite, has been filed before the learned court below.

Considering the submissions, the 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 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 application within a period of two months from the next date fixed. Adequate opportunity shall be granted to the parties to contest the same. After disposal of the application, the suit should be expedited and disposed of preferably within a period of one year, in accordance with law as it is the specific

contention of the petitioner that there should not be any impediment towards disposal of the suit on an urgent basis because the wife has not claimed any maintenance from the husband and no other application is pending.

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