

30.06.2023
Court No. 19
Item no.51
CP

C.O. 3449 of 2022

Sourav Bagchi
Vs.
Smt. Rajasri Bagchi

Ms. Madhumita Patra
....for the petitioner.

The revisional application has been filed by the husband, praying for expeditious disposal of MAT Suit No. 35 of 2021 which is pending before the learned Additional District Judge, Fast Track Court, Kalna, Purba Bardhaman. The petitioner submits that the suit is at the stage of evidence and justice would be subserved if the said suit is disposed of at an early date.

It appears that a Misc. Case is also pending in connection with the said suit.

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 pending Misc. Case within a period of three months from the next date fixed. Thereafter, the suit

shall proceed and be disposed of within one year provided the petitioner continues to pay the maintenance, if any, had been directed by the court.

This court has not expressed any opinion on the merits of the said pending Misc. Case and also on 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 advocates 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.)