

21.12.2023
Court No. 19
Item no.36
CP

CO/3796/2023
SUMIT AGARWAL
VS
SMT. SHIPRA KUMARI(AGARWAL)

Mr. Anubrata Dutta

.....for the petitioner.

The husband prays for expeditious disposal of Matrimonial Suit No. 326 of 2018, which is pending before the learned Additional District Judge, FTC-II at Sealdah. It is submitted that the wife's application for maintenance pendente lite has been rejected by the learned court. It is also stated that the suit is at the stage of evidence.

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 suit within six months from the next date fixed. Adequate opportunity shall be granted 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.)