

29.01.2024
Sl. No.171(DL)
srm

C.O. No. 100 of 2024

Avik Ghosh

Versus

Sarani Bhaumik

Mr. Anindya Bose,
Mr. Soumya Sankar Chini

...for the Petitioner.

The petitioner seeks expeditious disposal of Matrimonial Suit No.1913 of 2022, which is pending before the learned Additional District Judge, 4th Court at Barasat, North 24-Parganas.

The petitioner submits that the suit has been fixed for conciliation on repeated occasions, but the matter has not proceeded. It is also submitted that no interlocutory applications are pending. No application seeking maintenance *pendente lite* is also pending.

Considering the submissions, this Court is of the view that the prayer of the petitioner for early disposal of the proceedings, 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.

Under such circumstances, the revisional application is disposed of, with a direction upon the learned court below to proceed with the suit expeditiously and if reconciliation fails the suit should be disposed of within the next two years, in accordance with law. However, if there is any order of maintenance passed in the suit, the husband would be required to comply with such directions before seeking expeditious disposal of the matrimonial suit.

This Court has not gone into the merits of the suit.

A copy of the revisional application along with a server copy of this order be served upon the opposite party within a week.

The revisional application is, thus, disposed of.

There will be, however, no order as to costs.

Parties are to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)