

March 5, 2024
Sl. No.34
Court No.19
s.biswas

CO 282 of 2024

Amit Debnath
vs.
Shrimati Payel Debnath

Mr. Sanjib Dawn

... for the petitioner

The petitioner is the husband who prays for expeditious disposal of the Misc. Case No.57 of 2014, which is pending before the learned Additional District Judge, 2nd Court at Barrackpore, North 24 Parganas.

It appears that CO 2586 of 2023 was disposed of by this court on October 11, 2023, directing the learned court below to dispose of the pending application within 2 months. More than six months have passed, but no steps have been taken, despite the order of this court.

Under such circumstances, this court is of the view that justice would be subserved, if the learned court below is directed to dispose of the said misc. case and the application, on an urgent basis.

This court has neither gone into the merits of the application nor into the merits of the misc. case. An order for expeditious disposal of any litigation, enures to the benefit of all the parties. Hence, prior service of this revisional application upon the opposite party, would not be necessary. The prayer is innocuous and very reasonable.

The revisional application is disposed of with a direction upon the learned court below to dispose of the application within a week from the next date fixed and thereafter the learned court below will proceed with the misc. case and dispose of the same within a period of six months thereafter, without granting unnecessary adjournments to either of the parties and upon granting adequate opportunity to the opposite party to contest the proceedings. The learned court below shall proceed strictly in accordance with law and independently.

Petitioner is directed to serve a copy of this revisional application along with the server copy of this order upon the opposite party.

Accordingly, the revisional application is disposed of.

All the parties are directed to act on the basis of the server copy of this order and upon the communication of the learned advocate.

(Shampa Sarkar, J.)