

13.02.2024
Sl. No.42(DL)
srm

C.O. No. 287 of 2024
Sri Abhijit Kumar Das
Versus
Smt. Munmun Bag (Das)

Mr. Debasish Kundu,
Ms. Susmita Saha

...for the Petitioner.

The petitioner prays for expeditious disposal of Matrimonial Suit No.758 of 2019 along with the pending application. The said proceedings are pending before the learned Additional District Judge, 1st Court at Serampore, Hooghly.

According to the petitioner, the wife has not prayed for any maintenance *pendente lite*.

Considering such submission, this Court is of the view that the prayer of the petitioner, for early disposal of the proceeding, 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 dispose of the pending application, within a period of two months from the next date fixed, independently and strictly in accordance with law, upon allowing the parties to contest the proceeding. Thereafter, the suit shall proceed and be disposed of within the next one year, from the date of disposal of the application. Unnecessary adjournments shall not be granted to any of the parties.

This order shall be subject to the result of any further application which the wife may file, seeking maintenance *pendente lite*.

This Court has neither gone into the merits of the application nor 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.)