

13.03.2024
Sl. No.11(DL)
srm

C.O. No. 476 of 2024
Sri Subal Chandra Haldar
Versus
Smt. Sandhya Biswas @ Haldar

Ms. Sananda Bhattacharya,
Ms. Chanchala Chatterjee

...for the Petitioner.

The husband, prays for expeditious disposal of Matrimonial Suit No.420 of 2019 which is pending before the learned Additional District Judge, Fast Track, 4th Court at Barrackpore, North 24-Parganas.

It is submitted that an application for maintenance *pendente lite* has been filed by the wife, but the said application has been pending since long. The petitioner seeks expeditious disposal of the matrimonial suit.

It appears that an application for maintenance *pendente lite* has been filed and parties were directed to file their affidavit of assets.

Considering the 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 to dispose of the application for maintenance *pendente lite*, within a period of four months from the next date fixed, independently and strictly in accordance with law, upon allowing the parties to contest the proceeding. Thereafter, the learned court shall dispose of the suit within a year from the date of disposal of the application, provided the husband pays maintenance, if any, awarded by the court. Unnecessary adjournments shall not be granted to any of the parties.

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.)