

08.03.2024
Sl. No.13(DL)
srm

C.O. No. 647 of 2024
Santanu Kumar Dhar
Versus
Archita Dhar nee Ghosh

Mr. Rajdeep Bhattacharya,
Mr. Debashis Banerjee,
Mr. Arpayan Mukherjee

...for the Petitioner.

The petitioner is the husband, who prays for expeditious disposal of Misc. Case No.698 of 2018, which has been filed in connection with Matrimonial Suit No.1210 of 2018. The proceedings are pending before the learned Additional District Judge, 3rd Court at Alipore, South 24-Parganas.

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 pending Misc. case, within a period of three months

from the next date fixed mandatorily, independently and strictly in accordance with law, upon allowing the parties to contest the proceeding. Thereafter, the suit shall proceed expeditiously and be disposed of within a year, from the date of disposal of the application, provided the petitioner pays the maintenance in case any order is passed. 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.)