

Item No.16
20.03.2024
Court. No. 19
GB

C.O. 790 of 2024

Shri Sumit Saha
Vs.
Smt. Bandana Saha

Mr. Kishore Mukherjee

...for the Petitioners.

The petitioner prays for expeditious disposal of Matrimonial Suit No.657 of 2018, which is pending before the learned Additional District Judge, 3rd Court at Barasat, District – 24 Parganas (North).

It is submitted that the suit is at the stage of framing of issues. It is further submitted that the wife has not prayed for any maintenance pendente lite.

Considering the submissions, this Court is of the view that the prayer of the petitioner 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.

The revisional application is disposed of with a direction upon the learned court below to dispose of the suit within a period of six months from the next date fixed. Adequate opportunity shall be given to the parties to contest the same.

This Court has not expressed any opinion on the merits of the suit. The learned court shall proceed independently and in accordance with law.

A copy of the revisional application, along with a server copy of this order be served upon the opposite party and/or the learned advocate contesting the matter on behalf of the opposite party in the learned court below.

The revisional application is accordingly disposed of.

There shall be no order as to costs.

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

(Shampa Sarkar, J.)