

25.04.2024
Ct. No. 19
Sl. No.09
Cp

CO/959/2024

SUBHAS DEY
VS
SUBHRA DEY

Mr. Sanjib Seth

... for the Petitioner.

The petitioner prays for expeditious disposal of Mat Suit No. 555 of 2018, which is pending before the learned Additional District Judge, 1st Court, Howrah along with an application for grant of maintenance pendente lite.

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 to dispose of the application for maintenance within four months from the next date fixed. Adequate opportunity shall be granted to the parties to contest the same. Thereafter, the learned court shall make a sincere endeavour to dispose of the suit expeditiously, preferably within a year from the date of disposal of the application, provided the husband pays the alimony pendente lite granted by the court.

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

In case of default, the suit shall not proceed.

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, within a week.

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.)