

Item No.18
04.04.2024
Court. No. 19
GB

C.O. 1110 of 2024

Tagori Biswas
Vs.
Subrata Biswas

*Mr. Debasis Sur,
Mr. Hare Krishna Halder,
Mr. Angsuman Patra*

...for the Petitioner.

By this application, the petitioner seeks expeditious disposal of Misc. Case No.21 of 2022, which arises out of Matrimonial Suit No.500 of 2019. The proceedings are pending before the learned Additional District Judge, 2nd Court at Bangaon, District – 24 Parganas (North).

The petitioner submits that the application for maintenance has been pending since long and the husband has not filed his written objection. The petitioner submits that she is in penury and the application for maintenance should be disposed of expeditiously.

This Court appreciates the concern of the petitioner.

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.

Under such circumstances, the revisional application is disposed of with a direction upon the learned court to make a sincere endeavour to dispose of the proceeding for

maintenance pendente lite within a period of three months from the next date fixed upon allowing the parties to contest the proceedings and adduce evidence.

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.)