

24.04.2024
Sl. No.12(DL)
srm

C.O. No. 1164 of 2024
Smt. Sudeshna Choubey
Versus
Sri Arunabha Acharya

Mr. Amal Kumar Banerjee
...for the Petitioner.

Mr. Sekhar Mukherjee,
Mr. Sreyash Mohta,
Mr. Bapon Behara
...for the Opposite Party.

The petitioner prays for expeditious disposal of Matrimonial Suit No.530 of 2022, which is pending before the learned District Judge, Paschim Bardhaman at Asansol.

It is submitted that an application for maintenance *pendente lite* is also pending.

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 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 proceed with the suit in accordance with law and make a sincere endeavour to dispose of the same within a year from the date of disposal of the application. Unnecessary adjournments shall not be granted to any of the parties.

It is made clear that if the husband fails to appear before the learned court during the hearing of the application for maintenance *pendente lite*, the learned court shall not waste time by granting unnecessary opportunities to the husband.

The learned Advocate for the husband undertakes not to pray for any adjournment and also submits that the husband is not responsible for the delay.

This Court has neither gone into the merits of the application nor into the merits of the suit.

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.)