

Item No.21
23.04.2024
Court. No. 19
GB

C.O. 1255 of 2024

Sri Malay Ghorai
Vs.
Aparna Ghorai

Mr. Ivan Ray,
Mr. Nirupam Dutta

...for the Petitioner.

By this application, the petitioner seeks expeditious disposal of J. Misc. Case No.04 of 2022 as also expeditious disposal of Matrimonial Suit No.370 of 2020. The proceedings are pending before the learned Additional District Judge, 1st Court at Paschim Medinipur.

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 dispose of the J. Misc. Case no.04 of 2022 within a period of six months from the next date fixed. Thereafter, the learned court shall make a sincere endeavour to dispose of the suit within a year, provided the husband pays the maintenance pendente lite, if any, awarded by the court. Adequate opportunity shall be granted to the parties, to contest the same.

This court has neither expressed any opinion on the merits of the misc. case nor 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.)