

Item No.16
29.04.2024
Court. No. 19
GB

C.O. 1439 of 2024

Jay Banerjee
Vs.
Susmita Das

*Mr. Rajdeep Bhattacharya,
Mr. Debashis Banerjee*

...for the Petitioner.

By this application, the petitioner seeks expeditious disposal of Misc. Case No.95 of 2023, which has been filed in connection with Matrimonial Suit No.3517 of 2022. The proceedings are pending before the learned Additional District Judge, 5th Court at Alipore, District – 24 Parganas (South).

According to the petitioner, the misc. case is ready for hearing. All parties have filed their affidavit of assets. Parties have also filed questionnaire.

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 misc. case within a period of three months from the next date fixed. Thereafter, the learned court shall make a sincere endeavour to dispose of suit within a year, provided

the husband pays the maintenance pendente lite, if awarded by the learned court. Adequate opportunity shall be given 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.)