

April 30, 2024
Sl. No.23
Court No.19
s.biswas

CO 1547 of 2024

Sri Soumik Sinha
vs.
Sri Tirtha Nag and another

Mr. Debjit Mukherjee
Ms. Susmita Chatterjee
Mr. Kaustav Bhattacharya
Ms. Priyanka Jana

... for the petitioner

The mother of the minor children died and the maternal uncle and aunt of the children have prayed for custody by filing Act VIII Misc. Case No.94 of 2023, which is pending before the learned Additional District Judge, Fast Track 3rd Court, Barrackpore, North 24 Parganas. The petitioner prays for expeditious disposal of a pending application.

The prayer of the petitioners 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 parties.

The petitioner is the father of minor children, who prays for interim visitation and interim custody in connection with Act VIII Misc. Case No.94 of 2023. He filed an application under Section 12 of the Guardians and Wards Act, 1890.

The petitioner is at liberty to pray before the learned court by filing a put up petition upon notice to all for preponement of the next date for hearing of

the application under Section 12 of the Guardian and Wads Act, 1980.

The revisional application stands disposed of with a direction upon the learned court to make an endeavour to dispose of the application within a period of four months from date, upon hearing the parties. This court has not gone into the merits of the application.

A copy of the revisional application along with a server copy of this order be served upon the opposite party within a week.

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.)