

CRR 3535 of 2024

Smt. Mahuya Roy Choudhury
Vs.
Rajat Roy Chowdhury

Adv. Tapas Kumar Ghosh,
Adv. Tanmoy Chowdhury,

...for the petitioner.

Since the innocuous prayer of the petitioner is for expeditious disposal of Misc. Case no. 523 of 2016 renumbered as Misc. Case no. 801 of 2024 under Section 125 of the Code of Criminal Procedure pending before the Judge, Family Court, Asansol, Paschim Bardhaman, the matter may be disposed of without service of notice upon the opposite party. The opposite party shall not be prejudiced by an order directing expeditious disposal of the case.

Learned counsel for the petitioner submits that the application under Section 125 of the Code of Criminal Procedure was initially filed in the year 2016 and numbered as Misc. Case no. 523 of 2016. It was subsequently transferred to the learned Judge, Family Court, Asansol and renumbered as Misc. Case no.801 of 2024. In the meantime, the opposite party who is the husband of the petitioner filed a MAT suit being 447 of 2021 which is also pending. The MAT suit is being heard on every date of hearing, but the application under Section 125 of the Code is not being taken up for effective hearing by the learned Trial Court.

In view of the fact that the application under Section 125 of the Code was filed by the petitioner in 2016, the learned trial Court is directed to dispose of the same within three months from the next

date of hearing fixed before him without granting any unnecessary adjournment to either of the parties, in accordance with law.

Accordingly, CRR 3535 of 2024 is disposed of.

Urgent certified website copy of this order, if applied for, be given to the parties, upon compliance of all requisite formalities.

(Suvra Ghosh, J.)