

January 4, 2024
Sl. No.275
Court No.19
s.biswas

CO 3910 of 2023

Dibyendu Das
vs.
Piyali Das nee Chanda

Mr. Dhananjay Banerjee
Ms. Oindrila Ghosh

... for the petitioner

The petitioner is the plaintiff/husband who prays for the expeditious disposal of the Matrimonial Suit No.100 of 2015, which is pending before the learned Additional District Judge, Fast Track 3rd Court at Barrackpore, North 24 Parganas. According to the petitioner, no other applications are pending. It is submitted that maintenance pendente lite is being paid regularly to the wife.

Under such circumstances, this court is of the view that justice would be subserved, if the learned court below is directed to dispose of the pending suit, on an urgent basis.

This court has not gone into the merits of the suit. An order of expeditious disposal of any litigation, enures to the benefit of all the parties. Hence, prior service of this revisional application upon the opposite party, would not be necessary. The prayer is innocuous and very reasonable.

The revisional application is disposed of with a direction upon the learned court below to make an endeavour to dispose of the suit within a period of

four months from the next date fixed, without granting unnecessary adjournments to either of the parties and upon granting adequate opportunity to the opposite party/wife to contest the proceedings, provided the husband is paying the maintenance pendente lite regularly, as directed by the learned court below. In case of failure to pay maintenance pendente lite, the suit shall not proceed.

The learned court below shall proceed strictly in accordance with law and independently.

Petitioner is directed to serve a copy of this revisional application along with the server copy of this order upon the opposite party.

Accordingly, the revisional application is disposed of.

All the parties are directed to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)