

30.01.2024
Sl. No.173(DL)
srm

C.O. No. 3979 of 2023

Sri Anirban Mukherjee

Versus

Smt. Poulomi Mukherjee (Dev Roy)

Mr. Biswajit Konar,
Mr. ARijit Mahinder

...for the Petitioner.

The petitioner is the husband, who prays for expeditious disposal of the connected applications which are pending in connection with Matrimonial Suit No.720 of 2022. The suit is pending before the learned Additional District Judge, 13th Court at Alipore, South 24-Parganas.

It is submitted that the wife is taking repeated adjournments in the matter and the applications have not yet been heard.

Considering the submission, this Court is of the view that the prayer of the petitioner for early disposal of the proceeding, 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 below to dispose of the applications within a period of six months from the next date fixed, independently and strictly in accordance with law, upon allowing the parties to contest the proceeding. If any maintenance *pendente lite* is awarded by the learned court or a superior court in future and the husband complies with such direction, the suit shall be disposed of within the next one year. Unnecessary adjournments shall not be granted to any of the parties.

This Court has neither gone into the merits of the applications nor into the merits of the suit.

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.)