

30.01.2024
Sl. No.172(DL)
srm

C.O. No. 3663 of 2022

Ruby Garai

Versus

Pranab Das

Mr. Nikhil Kumar Gupta

...for the Petitioner.

Despite service, none appears on behalf of the opposite party. Affidavit-of-service is taken on record.

The petitioner prays for expeditious disposal of Mat Suit No.164 of 2019, which is pending before the learned Additional District Judge, Fast Track Court, Suri, Birbhum.

It is submitted by the petitioner that 46 adjournments were allowed at the instance of the husband. A case status report has been filed in support of such contention. It is submitted that no interlocutory applications are pending and the suit is at the stage of evidence.

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 suit within a period of four months from the next date fixed, independently and strictly in accordance with law, upon allowing the parties to contest the proceeding. Unnecessary adjournments shall not be granted to any of the parties.

This Court has not gone 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.)