

18.04.2024
Sl. No.12(DL)
srm

C.O. No. 4075 of 2023

Tiyashi Mitra Biswas

Versus

Avishek Biswas

Mr. Kallol Mondal,
Mr. Krishan Ray,
Mr. Souvik Das

...for the Petitioner.

The petitioner/wife prays for expeditious disposal of Matrimonial Suit No.37 of 2021, which is pending before the learned District Judge, Jhargram.

It appears to this Court that issues were framed and evidence commenced. Thereafter, the matter was fixed on different dates for reconciliation. It also appears from the order sheet that numerous dates were fixed for reconciliation, but there does not appear to be any reconciliation between the parties.

The wife submits that the reconciliation has failed and, thus, prays for expeditious disposal of the suit.

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 to make a sincere endeavour to dispose of the suit within a year from the next date fixed, independently and strictly in accordance with law, upon allowing the parties to contest the proceeding, if the learned court is of the opinion that the reconciliation has failed. 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.)