

30.01.2024
Court No. 19
Item no.175
CP

C.O. No. 4101 of 2023

Sri Manas Mukhoti

Vs.

Smt. Urmila Pahari (Mukhoti)

Mr. Souma Subhra Ray

Mr. Arijit Roy

.....for the petitioner.

The petitioner, who is the husband, prays for expeditious disposal of the Matrimonial Suit No. 197 of 2016, which is pending before the learned Additional District Judge, 3rd Court, Barasat.

It is submitted that the suit is at the stage of evidence and no other interlocutory applications are pending. It is also submitted that the maintenance pendente lite, as directed by the learned court, is being paid regularly.

The prayer of the petitioner 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.

The revisional application is disposed of with a direction upon the learned court below, to dispose of the suit within six months from the next date fixed.

Adequate opportunity shall be granted to the parties to contest the same.

This court has not expressed any opinion on the merits of the suit. The learned court shall proceed independently and in accordance with law.

A copy of the revisional application along with a server copy of this order be served upon the opposite party and/or the learned advocate contesting the matter on behalf of the opposite party in the learned court below, within a week.

This order shall not be applicable if the petitioner defaults in paying the maintenance pendente lite as directed by the learned court.

The revisional application is accordingly disposed of.

There shall be no order as to costs.

Parties are to act on the server copy of this order.

(Shampa Sarkar, J.)