

March 11, 2024
Sl. No.3
Court No.19
s.biswas

CO 4159 of 2023

Mr. Rajesh Mahato

vs.

Mrs. Somani Mahato nee Ghosh Chowdhury

Mr. S. S. Arefin
Ms. Jonaki Saha

... for the petitioner

The petitioner is the husband who prays for expeditious disposal of the Matrimonial Suit No.1676 of 2023, which is pending before the learned Additional District Judge, 3rd Court, Barrackpore.

It is submitted that no application for maintenance pendente lite has been filed in the proceedings. It is further submitted that the matter has been fixed for reconciliation on a number of occasions, but the reconciliation has failed. However, it is for the learned court to decide whether the reconciliation had failed or not. On the basis of the submissions to be made by the respective parties before the learned court, if the learned court finds that reconciliation had failed and there was no chance of further reconciliation, the learned court shall proceed with the suit and dispose of the same expeditiously.

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 reasonable.

The revisional application is disposed of with a direction upon the learned court to make an endeavour to dispose of the suit within a year 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 continues to pay the maintenance pendente lite regularly, if any such amount is directed by the competent court.

The learned court 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.)