

29.02.2024
Sl. No.40(DL)
srm

C.O. No. 4353 of 2023

Sukash Ranjan Koley

Versus

Sayantani Ghosh

Mr. Manas Dasgupta

...for the Petitioner.

The husband prays for expeditious disposal of Matrimonial Suit No.56 of 2017 which is pending before the learned Additional District Judge, 6th Court at Alipore, South 24-Parganas.

It is contended that the husband is paying maintenance *pendente lite* regularly at the rate of Rs.70,000/- per month. There is no default. No other applications are also pending.

Considering such 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, provided the husband is paying maintenance *pendente lite* regularly. 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.)