

24.05.2024
Item No.14
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IN THE HIGH COURT AT CALCUTTA
Circuit Bench at Jalpaiguri
Appellate Side

CO/48/2024

SMT. ANAMIKA MUKHERJEE (SINHA)
VS
SRI AMIT SINHA

Mr. Kushal Chatterjee, Adv.,
Mr. Avrojoyti Das, Adv.
Mr. Rajdeep Das, Adv.
..for the petitioner.

This is a revisional application filed by the wife, being the plaintiff in a matrimonial suit. The matrimonial suit on having reached the stage of hearing, it was detected that the husband/opposite party has filed a suit for restitution of conjugal rights. The learned Judge hearing the matrimonial suit of the wife for dissolution of marriage had adjourned the said suit so that the application by the husband for restitution of conjugal rights and the said suit can be heard analogously.

By an order dated 13th March, 2024 the learned Trial Judge in seisin of the matrimonial suit filed by the petitioner/wife was directed to proceed with the same notwithstanding the pendency of the suit for restitution of conjugal rights.

The respondent remains unrepresented even at the second call.

It is submitted by the petitioner that the suit has reached the stage of examination of the defendant's first witness.

The prayer sought for in this revisional application, therefore, has spent its force. The petitioner is no more interested to proceed with this application. The application is, accordingly, dismissed for non-prosecution.

The learned Trial Court in seisin of the matrimonial suit filed by the petitioner/wife is directed to bring the said suit into a logical conclusion as expeditiously as possible.

(ARINDAM MUKHERJEE, J.)