

14.11.2025
SL No.13
Court No.6
(gc)

CO 434 of 2025

Sri Tapas Kumar Paul
Vs.
Smt. Mitul Paul

Mr. Debnath Mahata

...for the Petitioner.

1. This is an application for expeditious disposal of Mat Suit No.1094 of 2022 which is pending before the learned Additional District & Sessions Judge, Fast Track, Court No.2, Barrackpore, North 24 Parganas.
2. The petitioner is the husband who prays that the learned Court below be directed to proceed with the suit. It is submitted that the several dates have been fixed for re-conciliation, but there is no scope for re-conciliation. It is also submitted that the wife has not filed an application for maintenance pendente lite.
3. 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.
4. Under such circumstances, this revisional application is disposed of by requesting the learned Additional District Judge, Fast Track,

Court No.2, Barrackpore, North 24 Parganas, to decide the suit expeditiously, upon giving adequate opportunities to all the contesting parties, preferably within a period of one year from the date of communication of this order.

5. If the wife files any application for maintenance, the same shall be decided in accordance with law. If maintenance is ordered and the husband pays the maintenance, the suit shall proceed expeditiously. In the event maintenance is awarded by the Court but the husband commits default, this order will not operate as regards expeditiously disposal.
6. This court has not expressed any opinion on the merits of the suit. The learned court shall proceed independently and in accordance with law.
7. 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.
8. Affidavit-of-service to be filed before the Court below.
9. The revisional application is accordingly disposed of. There shall be no order as to costs.
10. Parties are to act on the server copy of this order.

(Shampa Sarkar, J.)