

**CRR 1553 of 2025
CRAN 1 2025**

In the matter of: Rinki Mondal

....Petitioner.

Ms. Aiswarjya Gupta

....for the petitioner

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner filed an application under Section 125 of the Code of 1973 in 2013 along with an application for interim maintenance. In the meantime, in 2014 suit for nullity of marriage was filed by the husband. The same was dismissed in 2019 on contest. Thereafter an appeal has remained pending. But, no interim order of any kind has been passed in the said appeal. Citing this as a ground, no step is being taken by the learned Magistrate in the proceeding under Section 125 of the Code.

As the petitioner has prayed for expeditious hearing, no prejudice will be caused to anyone, if an order is passed without serving notice to other side.

This is a case where the petitioner's praying for declaration of nullity of marriage was turned down. The mere pendency of an appeal preferred by the husband against such order cannot come in the way of the learned Magistrate in deciding an application under Section 125 of the Code.

In view of the above, the learned Magistrate is directed to conclude the proceeding under Section 125 in accordance with law and as expeditiously as possible. The Magistrate shall first deal with

the application for interim maintenance at the earliest, preferably within four months from the date of communication of this order.

With these observations, the revisional application and the connected application are disposed of.

Urgent Photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Jay Sengupta, J.)