

24-04-2025
Item no.28
Subrata
Bhattacharyya
AR(C)

IN THE HIGH COURT AT CALCUTTA
Civil Revisional Jurisdiction

CO No.1344 of 2025
Sri Mriganka Majumder
-vs-
Mrs. Paramita Dhole

Mr. Tanmoy Mukherjee
Mr. Souvik Das
Mr. Rudranil Das ...for the petitioner

This application under Article 227 of the Constitution of India is at the instance of the father in a proceeding under Act VIII Case No.116 of 2019 praying for a direction upon the learned Additional District Judge 8th Court at Alipore to dispose of the Act VIII case expeditiously.

Learned counsel for the petitioner refers to an order dated February 2, 2024 passed by a coordinate Bench in CO No.21 of 2024 whereby this court directed the learned trial judge to dispose of the application filed for psychological assessment of the child within a period of two months from the next date fixed and irrespective of the outcome of the said application, the Act VIII case shall be disposed of within one year from date.

Learned counsel for the petitioner submits that thereafter by an order dated February 17, 2025 passed in CO No.2480 of 2024, this court directed the learned trial judge to dispose of the application for modification of the order dated February 5, 2024. He further submits that after the order dated February 17, 2025 was passed, the opposite party herein filed another application on March 24, 2025 praying for recalling of the order dated February

5, 2024.

Learned counsel for the petitioner prays for a direction upon the Additional District Judge to dispose of the said application expeditiously as well as the Act VIII case expeditiously.

In view of the order sought and proposed to be passed, there is no necessity to direct issuing any notice upon the opposite party. However, learned advocate for the petitioner will be obliged to forward a copy of the Article 227 application along with this order upon the opposite party or upon the learned counsel representing the opposite party before the learned trial court.

From the order sheet appended, this court finds that April 25, 2025 has been fixed for hearing of the application filed by the opposite party under section 151 CPC praying for recalling of the order dated February 5, 2024.

In the light of the submission made on behalf of the petitioner, CO No.1344 of 2024 is disposed of by requesting the learned Additional District Judge, 8th Court at Alipore to take up the hearing of the application dated March 24, 2025 filed by the opposite party under section 151 CPC on April 25, 2025, if the same is otherwise ready for hearing and dispose of the same as expeditiously as possible, preferably by the end of June 2025, without granting any unnecessary adjournment to either of the parties.

After disposal of the said application, the learned Additional District Judge shall make an endeavour to see that the Act VIII case No.116 of 2019 is disposed of as expeditiously as possible keeping in mind the time-limit stipulated in the order dated February 2, 2024 passed in

CO No.21 of 2024, without granting any unnecessary adjournments to either of the parties.

All parties are to act on the server copy of this order duly downloaded from the official website of this court.

Certified copy of this order, if applied for, shall be made available to the parties.

[Hiranmay Bhattacharyya, J]