

**CO 1605 of 2025**

**Sri Suvabrata Pathak**  
**vs.**  
**Smt. Sangeeta Pathak alias Banerjee**

Mr. Shaunak Ghosh  
Ms. Shreyashi Maity

....for the Petitioner

This application under Article 227 of the Constitution of India is at the instance of the husband praying for a direction upon the learned Additional District Judge, 9<sup>th</sup> Court at Alipore to dispose of Matrimonial Suit No. 595 of 2021 expeditiously.

Learned advocate for the petitioner submits that the issues have been framed but the hearing of the Matrimonial Suit is not proceeding thereafter.

From the order sheet appended to this application this Court finds that a Miscellaneous Case for alimony *pendente lite* being Misc. Case No. 294 of 2023 filed by the opposite party/wife is still pending.

From the order sheet appended to this application this Court finds that 19<sup>th</sup> May, 2025 has been fixed for filing of the amended application of the miscellaneous case and for hearing.

In view of the order sought and proposed to be passed, this Court feels that there is no necessity to direct issuance of any notice upon the opposite party. However, learned advocate for the petitioner shall be obliged to forward a copy of this application along with

this order upon the opposite party or upon the learned advocates representing the opposite party before the learned Trial Judge.

Since a Miscellaneous Case at the instance of the wife/opposite party herein for payment alimony *pendent lite* is pending, this Court is of the considered view that the said miscellaneous case should be disposed of prior to the hearing of the Matrimonial suit.

In view thereof, the learned Additional District Judge, 9<sup>th</sup> Court at Alipore shall make endeavors to see that the miscellaneous case is disposed of as expeditiously as possible without granting any unnecessary adjournments to either of the parties.

With the above observations and directions, CO 1605 of 2025 stands disposed of.

Urgent photostat certified copy of this order, if applied for, be furnished to the parties expeditiously upon compliance of all legal formalities.

**(Hiranmay Bhattacharyya, J.)**