

23.07.2025
Item no. 29.
Court No.6.
AB

C. O. 2616 of 2025

**Nilanjan Chowdhury
Vs
Sudakshina Law (Chowdhury)**

Mr. Goutam Das,
Mr. Sandeep Kr. Tiwarifor 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, 6th Court, Alipore to dispose of the Matrimonial Suit no.1 of 2016 expeditiously.

Learned advocate appearing for the petitioner submits that previously this Hon'ble Court on two occasions passed directions for expeditious hearing of the matrimonial suit but in spite of such directions, the suit is yet to be disposed of.

Learned advocate appearing for the petitioner, in his usual fairness, submits that an amount of Rs.5 Lac and odd is lying due and payable to the wife/opposite party herein on account of alimony pendente lite both arrears and current upto July, 2025. He further submits that the petitioner attempted to pay the said amount to the opposite party but the learned advocate representing the wife before the learned Trial Judge refused to accept the same.

Learned advocate for the petitioner further submits that presently, the Court is lying vacant.

In the light of the submission made by the learned advocate for the petitioner, C.O. No.2616 of 2025 stands disposed of with the following directions:

- i. The petitioner will be at liberty to take out an application before the learned Trial Judge ventilating his grievances that the wife is refusing to accept the alimony pendente lite both arrears and current. If such application is filed, the learned Trial Judge is requested to dispose of the same after giving an opportunity of hearing to the respective parties and by passing a reasoned order.
- ii. After the Presiding Officer joins, the learned Judge of the Trial Court shall make an endeavour to dispose of the Matrimonial Suit No.1 of 2016 as expeditiously as possible without granting any unnecessary adjournment to either of the parties provided the petitioner herein is not in default in payment of alimony and maintenance.

(Hiranmay Bhattacharyya, J.)

