

16.05.2025
Item No.12
Ct. No.446
PG/KS

C.O. 2435 of 2024

**Sri Arup Ratan Bhattacharyya
Versus
Sharmili Bhattacharyya (Chakraborty)**

Mr. Sunny Nandy
Mr. Subha Pathak.....for the petitioner

1. This is an application filed under Article 227 of the Constitution of India for expeditious hearing and disposal of Matrimonial Suit No. M.A.T. 2109 of 2021 pending before the Court of Learned District Judge, North 24-Parganas, Barasat. In connection with the M.A.T. suit, one Misc. Case being No. 225 of 2022 under section 24 of the Hindu Marriage Act was filed and it is submitted that Misc. Case has already been disposed of granting *alimony pendente lite* to the tune of Rs. 4,000/- per month.
2. It is also submitted that the evidence of the plaintiff is also on the verge of completion and probably today, when the date fixed, it will be concluded.
3. Therefore, it is prayed for an expeditious hearing of the Matrimonial Suit.
4. Heard the submissions.
5. On perusal of the certified copy of the order sheets of both the Matrimonial Suit and the Misc. Case, it transpires that at the time of filing of this application in the year 2024, the Misc. Case under section 24 of the Hindu Marriage Act was pending. However, the said

proceeding has been concluded. Now the Matrimonial Suit is already fixed for trial and the evidence is going on.

6. At this stage, the learned trial Court is directed to dispose of the Matrimonial Suit at an earliest, preferably within a period of six months without granting any unnecessary adjournment to either of the parties.
7. Since the order is passed in the absence of opposite parties, it is made clear that this Court has not entered into the merits of the Matrimonial Suit and the learned trial Court shall decide the Matrimonial Suit on merits and in accordance with law without being influenced by any observation made by this Court.
8. With the aforesaid observations/directions, the civil revisional application being C.O. 2435 of 2024 is disposed of.
9. No costs.
10. Let a copy of this order be sent down to the learned trial Court.
11. Urgent photostat certified copy of this order, if applied for, be furnished to the parties expeditiously upon compliance of all legal formalities.

(CHAITALI CHATTERJEE (DAS), J.)