

D/L- 10
02/07/2025
Ct. No.-6
Aritra

C.O. 2463 of 2024
With
CAN 1/2025
Tagori Biswas
Vs.
Subrata Biswas

Mr. Debasis Sur
Mr. Hare Krishna Halder
Mr. Angsuman Patra

...for the petitioner

The learned advocate appearing for the petitioner filed an application being CAN 1 of 2025 for extension of interim order. The interim order expired long back i.e. on October, 2024.

The learned advocate appearing for the petitioner was requested to make the submissions on merits of the civil revision application. He submits that the learned trial judge is proceeding with the hearing of the matrimonial suit without fixing a date for hearing of the miscellaneous case filed under Section 24 of the Hindu Marriage Act.

Record reveals that the petitioner filed an application for stay of all further proceedings of the suit till disposal of the Miscellaneous Case No.21 of 2022.

July 3, 2024 was fixed for hearing of the application for stay filed by the petitioner herein and for hearing of the petition for shifting back the suit. However, on that date the learned advocate for the wife/respondent in the matrimonial suit prayed for an adjournment and for which the learned trial judge fixed July 20, 2024 for

hearing of the shifting back petition and the petition for stay.

This Court fails to understand as to why the petitioner challenged such an order by this Hon'ble Court under Article 227 of the Constitution of India when their prayer for adjournment of the hearing of the stay application was allowed. The learned advocate appearing for the petitioner submits that July 25, 2025 has been fixed for hearing of the stay application and the petition for shifting back.

In the light of the submissions made by the learned advocate for the petitioner, CO 2463 of 2024 stands disposed of by requesting the learned Additional District, 2nd Court, Bongaon, District-North 24-Parganas to take up hearing of the stay application and the application for shifting back on the next date fixed i.e. on July 25, 2025 and to make an endeavour to dispose of the same as expeditiously as possible without granting any adjournments to either of the parties.

In view of the order passed in CO 2463 of 2024, CAN 1/2025 stands disposed of.

There will be no order as to costs.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Hiranmay Bhattacharyya, J.)