

04.08.2025
Item No.29.
Court No.06.
S. De
265719

C.O. 2640 of 2024

Dr. Somnath Sengupta.
Vs
Smt. Sushmita Pal.

Mr. D. Banerjee, ...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 3rd Court at Alipore to dispose of the Matrimonial Suit No.2106 of 2017 expeditiously.

The learned advocate appearing for the petitioner submits that previously a Co-ordinate Bench of this Court has passed an order directing the learned Trial Judge to dispose of the misc. case and the matrimonial suit expeditiously. He further submits that in spite of such direction, the misc. case as well as the matrimonial suit has not yet been disposed of.

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

advocate representing the opposite party before the learned Trial Judge.

From the order-sheets appended to this application, this Court finds that the Misc. Case being no.20 of 2018 is pending.

The learned advocate for the petitioner submits that the said misc. case no. 20 of 2018 was filed by the opposite party under Section 36 of the Special Marriage Act. He further submits that August 7, 2025 has been fixed for argument of the said misc. case.

In the light of the submission made by the learned counsel for the petitioner, C.O. No.2640 of 2024 stands disposed of by requesting the learned Additional District Judge, 3rd Court at Alipore to make an endeavour to dispose of the Misc. Case No. 20 of 2018 as expeditiously as possible but preferably within the period of three months from the next date fixed without granting any unnecessary adjournment to either of the parties.

After disposal of the misc. case, the learned Trial Judge shall make an endeavour to dispose of the Matrimonial Suit being no. 2106 of 2017 as expeditiously as possible without granting any unnecessary adjournments to either of the parties subject to any order that may be passed in the said miscellaneous case.

(Hiranmay Bhattacharyya, J.)