

20.05.2025
Item No.14
Court No.446.
S. De

C.O. 3259 of 2024
Sanjay Saha.
Vs.
Jhuma Sarkar & Anr.

Ms. Mousumi Bhowal,
Mr. Aman Gupta,
Mr. Ishan Bhattacharya, ...for the petitioner.

This revisional application under Article 227 of the Constitution of India has been filed by the petitioner/husband for expeditious disposal of the Matrimonial Suit being no. 311 of 2013, pending before the learned District Judge, Malda.

It is submitted by the learned advocate for the petitioner that the matrimonial suit was filed in the year 2013 and Misc. Case was filed by the opposite party that has been dismissed by the order dated April 24, 2018. While dismissing such Misc. Case, the learned Trial Court was also of the view that the speedy trial of the case is most desirable in view of the nature of controversy. Despite that the suit is still pending and on six occasions adjournment has been sought for on behalf of the opposite party.

Heard the submission of learned advocate for the petitioner. Perused the certified copy of the orders filed by the petitioner in order to substantiate the contention made therein.

Fact remains, the matrimonial suit is pending since 2013 and on several occasions, the matter was

adjourned only at the instance of the opposite party. The record further reveals that suit was in the peremptory Board on 09.07.2018 and 12.07.2014 was fixed for cross examination of P.W.2. In fact, evidence of P.W. is closed and fixed on 06.09.2024 for Defence Witness which is still pending. Therefore, considering all the aspects of the matter, learned Court of Additional District Judge, 3rd Court, Malda is directed to take all endeavour to dispose of the matrimonial suit as expeditiously as possible, preferably within a period of six months.

Let a copy of the order be sent to the learned Trial Court for necessary compliance.

In that view of the matter, the instant revisional application being C.O., 3259 of 2024 stands disposed of.

(Chaitali Chatterjee (Das), J.)