

17th January,
2025
(AK)
36

C.O 3492 of 2024

Sri Anirban Mukherjee
Vs.
Smt. Poulomi Mukherjee (Dev Roy)

Mr. Biswajit Konar
Mr. Arijit Mahinder

...for the petitioner.

1. In view of the innocuous nature of the order proposed, prior service of notice is not directed.
2. The present application under Article 227 of the Constitution arises at the instance of the husband, who is the plaintiff in a Matrimonial Suit.
3. By an order dated July 30, 2024, a coordinate Bench had directed the pending applications, including an application for amendment of the plaint and for addition of party as well as an interim alimony application, to be disposed of within a period of six months from the next date fixed.
4. However, till date none of the said applications have been disposed of.
5. It is not understood as to why, despite the specific observation of the coordinate Bench as long back as on January 30, 2024, that is, almost a year back, for expeditious hearing of the applications, nothing has been done in that regard.

6. Be that as it may, C.O. 3492 of 2024 is disposed of by directing the learned Additional District Judge, Thirteenth Court at Alipore, District-South 24 Parganas positively to dispose of all pending applications in connection with Matrimonial Suit No.720 of 2022 before it mandatorily and peremptorily within February 28, 2025.
7. A server copy of the present order shall be communicated by the learned Advocate for the petitioner to the learned Trial Judge within a week from date.
8. It is made clear that, subject to the petitioner-husband regularly paying the interim order of alimony, if awarded, the learned Trial Judge shall dispose of the suit within one year from the date of disposal of the pending application.
9. The parties as well as all concerned shall act on the server copy of this order without insisting upon prior production of a certified copy for the purpose of compliance.
10. There will be no order as to costs.
11. Urgent photostat copies of this order, if applied for, be given to the parties upon compliance of all requisite formalities.

(Sabyasachi Bhattacharyya, J.)