

28.01.2025
48.
Ct.237.
Bd.

C.O. 3770 of 2024

Sri Debasish Chandra Roy

-Vs-

Smt. Pika Roy (nee Ghosh)

Mr. Tapas Kumar Majumder
Mr.Partha Pratim Bhattacharjee
...for the Petitioner.

This is an application wherein petitioner has prayed for expeditious disposal of MAT Suit No. 2 of 2022 along with Misc. Case No. 6 of 2022 which is presently pending before learned Additional District Judge, 2nd Court, Sealdah.

Petitioner contended that he filed the matrimonial suit seeking dissolution of marriage in the year 2018. He further submits that the opposite party/wife appeared in the said suit and filed written statement. Opposite party/wife also filed an application under section 36 of the Special Marriage Act, on 26th February, 2022 which has been registered as Misc. Case No. 6 of 2022 and the said Misc Case is also pending for disposal.

In such view of the matter, petitioner has prayed for a direction upon the Court below for expeditious disposal of both the said Misc. Case being No. 6 of 2022 as well as the main MAT. Suit being No. 2 of 2022.

Since the prayer made by the petitioner is innocuous and if allowed in terms of prayer made in the application, neither parties will have cause to prejudice, the service of application and the notice upon the opposite party is dispensed with.

Since the prayer made on behalf of the petitioner appears to be justified in the facts and circumstances of the case, C.O. 3770 of 2024 is hereby disposed of with a direction upon the Court below, to make every endeavour for expeditious disposal of both the cases and to make its best effort to conclude the proceedings in connection with Misc. Case No. 6 of 2022 preferably within a period of eight weeks from date and to conclude the entire proceeding in MAT. Suit No. 2 of 2022, preferably within a period of six months thereafter.

Urgent Photostat certified copy of this order, duly applied for, be given to the parties upon compliance of all requisite formalities.

(Dr. Ajoy Kumar Mukherjee, J.)