

D/L.36.
March 24, 2025.
KAUSHIK

C.O. 3889 of 2024

Shri Vivek Shaw
Vs.
Smt. Namrata Singh

Mr. Shourjyo Mukherjee
... for the petitioner.

Mr. Debabrata Roy
... for the Opposite Party.

This is an application where the petitioner has prayed for expeditious hearing of the Misc. Case (Act VIII) No. 152 of 2016 presently pending before the learned District Judge at Barasat, North 24 Parganas.

It is contended by learned counsel for the petitioner that the petitioner filed the application under Section 25 of the Guardians and Wards Act, 1980 read with Section 6 of the Hindu Minority and Guardianship Act, 1956 seeking custody of the minor son against the opposite party herein about nine years back. In connection with the said application, the wife/Opposite Party herein also filed objection.

The grievance ventilated herein is that it would appear from the order sheet that the main application came up for consideration on several occasions before the Court below but learned Court below is fixing dates one after another

without deciding the application of the petitioner including the application seeking visitation of the child and that the petitioner could not visit his minor son in spite of specific order passed by the Court.

Mr. Debabrata Roy, learned counsel appeared on behalf of the Opposite Party and the copy of the said application has been served upon learned counsel appeared for the Opposite Party.

Having heard the learned counsel appearing on behalf of the petitioner and the Opposite Party that the main application filed under Act VIII of 1925 is pending for about nine years, I find that the prayer made by the petitioner is justified and required to be allowed for the ends of justice.

In such view of the matter, C.O. 3889 of 2024 is hereby disposed of with a direction upon the Court below for making every endeavor to dispose of the Misc. Case No. 152 of 2016 as expeditiously as possible without granting any unnecessary adjournment to either of the parties and to make his best effort to conclude the said miscellaneous case along with all the pending applications preferably within a period of three months from the date of communication of this order.

(Dr. Ajoy Kumar Mukherjee, J.)