

M/L- 45
01/09/2025
Ct. No.-6
Aritra

C.O. 4357 of 2024

**Smt. Sanjukta De @ Dey
Vs.
Sri Provin Kami**

Mr. Debanjan Mukherjee
Mr. Aniruddha Ganguly

....for the petitioner

This application under Article 227 of the Constitution of India is at the instance of the wife praying for a direction upon the learned Additional District Judge, 1st Court at Alipore to dispose of the Miscellaneous Case No.558 of 2022 expeditiously.

Mr. Mukherjee, the learned advocate appearing for the petitioner submits that the miscellaneous case was filed under the provisions of Section 36 of Special Marriage Act. He further submits that challenging an interlocutory order passed in the miscellaneous case the husband/opposite party herein filed a civil revision application being C.O. No.2488 of 2025 which is pending. He submits that no order of stay has been passed in the said civil revision application.

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

representing the opposite party before the learned trial judge.

In the light of the submission made by the learned advocate for the petitioner, CO 4357 of 2024 stands disposed of by requesting the learned Additional District Judge, 1st Court at Alipore to proceed with the Miscellaneous Case No.558 of 2022 in accordance with law in the event there is no impediment to proceed with the said miscellaneous case. 7

There will be no order as to costs.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Hiranmay Bhattacharyya, J.)