

27.4.2026

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CRR 1650 of 2026

Dr. Poulomi Dutta nee Biswas
Vs.
Soumyadip Dutta

Mr. Angshuman Chakraborty
Mr. S.S. Saha

...for the Petitioner

The petitioner herein filed an application on 21st January, 2021 under Section 12 of the Protection of Women from Domestic Violence Act. Thereafter, the opposite party herein did not appear to contest and as such, the court below posted the said application for ex-parte hearing. However, the opposite party herein filed an application for vacating the ex-parte order, which was subsequently allowed on payment of cost vide order dated 15.7.2024.

The petitioner had also filed an application for interim relief under Section 23 of the Domestic Violence Act along with the said application under Section 12 of the Protection of Women from Domestic Violence Act but the said application is still pending for hearing and the next date has been fixed on 24.8.2026 for hearing of the application for interim relief made by the petitioner. Therefore, the petitioner submits that a direction may be made upon the court below for preponing the date of hearing interim prayer and also for expeditious disposal of the main application filed under Section 12 of the Protection of Women from Domestic Violence Act.

Having heard learned counsel for the petitioner, it appears that the prayer made by the petitioner is innocuous and if it is allowed in terms of the prayer made therein, the opposite party will have no cause to prejudice and as such, the service of copy of application upon the opposite party is hereby dispensed with.

Having considered the fact that the prayer made by the petitioner is justified in view of the long pendency of the interim application as well as the main application, which as per the statute is required to be disposed of within a statutory period, I find that the prayer made by the petitioner is required to be allowed for securing the ends of justice.

Having considered so, the instant application being CRR 1650 of 2026 is hereby disposed of with a direction upon the court below to prepone the next date of hearing of the interim application and to fix a date in the month of June, 2026 and to dispose of the said interim application preferably within a period of one month from preponed date and the court below shall also make every endeavour for expeditious disposal of the main application filed by the petitioner under Section 12 of the Protection of Women from Domestic Violence Act, without granting any unnecessary adjournment to either of the parties.

This order is passed invoking this court's jurisdiction under Section 529 of the BNSS.

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.)