

JPD-07
Ct No.07
10.06.2026
TN

Calcutta High Court
In The Circuit Bench at Jalpaiguri
Appellate Side

CO 72 of 2026

Sri Sankar Biswas
Vs.
Smt. Sabita Biswas

Mr. Bapi Sarkar,
Mr. Roumyadip Saha

....for the petitioner

1. In view of the innocuous nature of the prayer, prior service of notice is not being directed.
2. The petitioner, being the plaintiff in a matrimonial suit, seeks expeditious disposal of the suit. The suit was filed in the year 2022 and is now at the stage of cross-examination of P.W.1.
3. Learned counsel for the petitioner submits that on several occasions, adjournments were taken by the opposite party, thereby leading to the delay in disposal of the suit.
4. Upon hearing learned counsel, it transpires that by its very nature, a matrimonial suit has implicit urgency and is required to be disposed of expeditiously. However, although learned counsel for the petitioner relies on Section 21B of the Hindu Marriage Act, which casts a mandate on the Court to dispose of matrimonial suits within a limited period, the letter of the law has to be taken

in the context of pragmatic reality. This Court takes judicial notice of the fact that due to the SIR exercise directed by the Hon'ble Supreme Court, the Judicial Officers of the State were hard-pressed till recently. As such, a direction for expeditious disposal in a time-bound frame would operate detrimentally not only to the interest of fair disposal of cases but will also be an unnecessary and unwarranted burden on the trial court.

5. However, as recorded above, since a matrimonial suit has its implicit urgency, CO 72 of 2026 is disposed of with the expectation that the learned Additional District Judge, First Court, Siliguri shall make all endeavour to dispose of Matrimonial Suit No. 13 of 2024 as expeditiously as possible without granting any unnecessary adjournment to either party.
6. There will be no order as to costs.

(Sabyasachi Bhattacharyya, J.)