

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).10561/2006

(From the judgement and order dated 09/03/2006 in CO No. 65/2006
of The HIGH COURT OF CALCUTTA)

SUSMITA DUTTA CHOWDHURY Petitioner(s)

VERSUS

PULOK DUTTA CHOWDHURY & ANR. Respondent(s)

(With prayer for interim relief and office report)

Date: 03/11/2009 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE MARKANDEY KATJU
HON'BLE MR. JUSTICE ASOK KUMAR GANGULY

For Petitioner(s) Mr. Tapash Ray, Sr. Adv.
Mr. L.C. Agrawala, Adv.
Ms. Chameli Majumdar, Adv.

For Respondent(s) Not represented till date

UPON hearing counsel the Court made the following
O R D E R

Leave granted.
The Appeal is disposed of accordingly. No costs.

(Parveen Kr. Chawla)
Court Master

(Indu Satija)
Court Master

[Signed Order is placed on the File]
IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.7304 OF 2009
(Arising from S.L.P.(C) No.10561 of 2006)

Susmita Dutta Chowdhury ..Appellant

versus

Pulok Dutta Chowdhury & Another ..Respondents

O R D E R

Leave granted.

Heard learned counsel for the appellant.

Despite service of notice, nobody appears for the respondents.

Appellant filed a suit for dissolution of marriage on several grounds. The grievance of the appellant is that the respondents are adopting dilatory tactics and are not filing the written statement. However, Mr. Tapash Ray, learned senior counsel for the appellant submits that copy of the written statement has been served on his client.

In that view of the matter, we direct the learned trial Court to dispose of the suit as early as possible, preferably within a period of three months' from the date of receipt/production of a copy of this order. Respondents may also file their written statement within 10 days from the date of a service of a copy of this order on their counsel appearing in the learned trial Court.

We make it clear that we are not making any opinion on the merits of the dispute and the learned trial Court

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shall be at liberty to dispose of the suit without being influenced by any of the order passed by the courts below or by this order.

The Appeal is disposed of accordingly. No costs.

.....J.
[MARKANDEY KATJU]

NEW DELHI;J.
NOVEMBER 03, 2009 [ASOK KUMAR GANGULY]