

Item-2. 10-04-2023

sg Ct. 8

FAT 97 of 2021

Sohini Chatterjee
Versus
Saibal Chatterjee

Ms. Sudeshna Basu Thakur, Adv.
...for the appellant

Mr. Dibanath Dey, Adv.
Ms. Pallavi Pain, Adv.
...for the husband

The inventory list prepared on 4th July, 2023 in presence of the learned Advocate for the parties and duly signed by them is taken on record.

The parties may obtain photocopy of the said document duly signed by the Superintendent, First Appeal Department, for future reference and record.

Excepting few ornaments, which the wife claimed to be her stridhan articles, the parties have substantially settled their disputes. It is quite clear that the marriage has now become unworkable. The wife has already received a sum of Rs.20,00,000/- in the meantime along with almost all the ornaments, over which she made a claim towards settlement arrived at before the learned Mediator and is prepared to file a joint petition with the respondent for mutual divorce.

Accordingly, we direct the parties to file an application for mutual divorce before the learned District Judge, South 24 Parganas at Alipore within ten days from date.

We request the learned District Judge, Alipore to dispose of the said application for mutual divorce preferably within a period of two weeks from the date of filing of the same by waiving the

cooling off period of six months in view the decisions of the Hon'ble Supreme Court in *Amardeep Singh vs. Harveen Kaur* reported in AIR 2017 SC 4417 read with paragraph 27 of *Amit Kumar vs. Suman Beniwal* reported in 2021 SCC OnLine 1270.

The matter stands adjourned for four weeks.

The appellant shall be at liberty to avail free legal service.

The Secretary, District Legal Services Authority, South 24 Parganas is directed to appoint an Advocate to represent the appellant in the said proceeding.

The learned Advocate for the respondent shall prepare a draft petition to be duly approved by the learned Advocate to be appointed by the Secretary, DLSA, South 24 Parganas and it will be the responsibility of the learned Advocate for the parties to file a petition within a period of ten days from date.

Insofar as the two ornaments over which the appellant is making a claim, we feel that the husband and the wife shall sort out such differences in the meantime.

The learned Registrar Administration (L&OM) is directed to immediately communicate this order to the learned District Judge, South 24 Parganas at Alipore for information and doing the needful.

A copy of this order shall also be forwarded to the Secretary, DLSA, South 24 Parganas for information.

(Uday Kumar, J.)

(Soumen Sen, J.)