

Party Name : HARILAL SARKAR Vs SUBHRA SARKAR (CHOUDHURY) & ANR

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THE HONBLE MR. JUSTICE S.TALAPATRA

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Heard Mr. R.G. Chakraborty, learned counsel appearing for the petitioner as well as Mr. A. Ghosh, learned Public Prosecutor appearing for the state and Mr. S. Lodh, learned counsel appearing for the respondent No.1.

It appears that this petition filed under Section 19(4) of the Family Courts Act, 1984 has been filed in the wrong forum as the impugned order was passed in exercise of the jurisdiction provided under Section 25(2) of the Hindu Marriage Act, 1955 by enhancing the maintenance allowance in the change of the circumstances.

In view of this, this petition is disposed of as not maintainable in this forum.

The Registry is directed to return the certified copies annexed to this petition to the petitioner on keeping a photo-copy of the same in the record. The petitioner shall be at liberty to approach the appropriate forum.