

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WP227 No. 780 of 2016

- Raja Majumdar S/o Shri Dilip Majumdar Aged About 33 Years
R/o Village- Mopka, Vivekanand Nagar, Police Station- Sarkanda,
Tahsil, Civil & Revenue District- Bilaspur, Chhattisgarh

---- Petitioner

Versus

- Smt. Papia Majumdar W/o Shri Raja Majumdar Aged About 30
Years D/o Late S.K. Ghosh, R/o Village- Sarda Vihar, Near
Shankar Mandir Korba, Tahsil, Civil & Revenue District- Korba,
Chhattisgarh

---- Respondent

For Petitioner

Shri D. G. Kela, Advocate

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

04/01/2017

1. In the petition under Section 13 (1) (a) of the Hindu Marriage Act, 2013 preferred by the petitioner for dissolution of marriage and grant of divorce, he has moved an application for summoning the salary slip of the respondent wife from New Era Progressive School, Rampur, District Korba, where she is working as Teacher earning salary of Rs.7,000/- per month.
2. The Family Court has rejected the application on the ground that the petitioner can obtain such information under Right to Information Act, 2005.

3. Learned counsel for the petitioner would urge that New Era Progressive School, Rampur, District Korba being a private school, the provisions of RTI Act are not applicable, therefore, if the salary slip is not summoned, the petitioner shall suffer irreparable loss.
4. After hearing learned counsel for the petitioner, I deem it appropriate to dispose of the writ petition with observation that if the petitioner so desires, he may examine the principal or any other officer or employee of New Era Progressive School, Rampur, District Korba along with the salary slip of the respondent. On prayer being made by the petitioner for such examination, the Family Court shall allow him and thereafter decide the matter in accordance with law.
5. The writ petition stands disposed of.

Sd/-

JUDGE

PRASHANT KUMAR MISHRA

Nirala