

05.03.2021
Sl. No. 57
srm

CAN 1 of 2021
Gautam Shroff
Vs.
Chitra Adhikary Shroff
In
C.O. No. 286 of 2021

Mr. Surajit Nath Mitra,
Mr. Tanmoy Chakraborty,
Ms. Ritika Shroff

...for the Applicant.

Mr. Saptangshu Basu,
Ms. Sukanta Chakraborty,
Mr. Anindya Halder

...for the Petitioner in CO 186/2021.

Re : CAN 1 of 2021

Affidavit of service is taken on record.

This is an application for modification and/or recalling of the order dated February 12, 2021 passed by this Court in C.O. No.286 of 2021. The applicant prays for modification of the order on the ground that the time limit fixed by this Court for disposal of the application for maintenance *pendente lite* has caused irreparable loss and injury to the petitioner, inasmuch as, the petitioner was not allowed to cross-examine the PW1 to the satisfaction of the petitioner especially because as many as 58 documents have

been tendered by the wife and the learned Court allowed very little time to the petitioner to complete the cross-examination.

It is informed that the learned Court below has already closed the cross-examination by an order dated February 23, 2021 and aggrieved by the aforementioned order a civil revisional application has been filed.

Under such circumstances, no order need be passed in this application for modification. The application for modification is disposed of without any interference with the order dated February 12, 2021.

The application is disposed of.

There will be, however, no order as to costs.

Urgent photostat certified copy of this order, if applied for, be given to the parties on priority basis.

(Shampa Sarkar, J.)