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Ct. 30

**CRR 525 of 2014
With
CRAN 1 of 2014 (Old CRAN 2858 of 2014)**

(Via Video Conference)

In the matter of:

**Basudev Dhar
Vs.
Subhra Dhar & Anr.**

Mr. Dinabandhu Chowdhury
Mr. Amal Kumar Saha
Mr. I. Paul
...for the petitioner

Affidavit of service and supplementary affidavit be kept with the record.

In spite of service of notice, the wife /opposite party has not appeared to contest the instant application. Therefore, this revisional application is taken up for hearing ex parte.

It is not disputed that the petitioner is the legally married wife of the opposite party. It is also not disputed that in the wedlock between the parties the opposite party gave birth to two daughters. Subsequently, marital discord took place between the parties, as a result of which the wife/opposite party has been staying on the first floor of her matrimonial home with two daughters and the petitioner is staying on the

ground floor. In the meantime, the petitioner has retired from his service.

It is also on record that by an order passed finally by this Court the petitioner was directed to pay monetary relief for his daughters at the rate of Rs.4,000/- each. The petitioner went on making such payment regularly. However, the eldest daughter of the parties got employment and she does not want to accept monetary relief from her father anymore.

The petitioner is directed to go on paying interim monetary relief only for his youngest daughter. It is submitted by the learned advocate for the petitioner that there is a chance of amicable settlement of the dispute between the petitioner and the opposite party and the learned trial Court may be directed to send the case record of AC-804 of 2013 to Mediation for such amicable settlement. The prayer being innocuous and the Court is always of the opinion that marital tie between a husband and wife should remain intact, the learned Judicial Magistrate, 2nd Court at Alipore is directed to send the case record of AC-804 of 2013 to Mediation for amicable settlement of the dispute.

If such amicable settlement cannot be arrived at, the learned Magistrate shall proceed with the hearing of the case according to law.

The instant criminal revision along with connected application is disposed of as per the above order.

(Bibek Chaudhuri, J.)