

Item-1. 22-11-2024

sg Ct. 12

CPAN 1076 of 2024

In

FA 112 of 2017

Soma Mukherjee @ Bhattacharjee

Versus

Sujit Kumar Mukherjee

Mr. Akashdeep Mukherjee

Ms. Rini Bhadra

Mr. Soummyadeep Nag

Ms. Soumali Das

...for the petitioner

1. Although this is an application for contempt, it appears that the basis of the application is non-payment of a sum of Rs.10 lakhs initially directed to be paid by an order dated 13th March, 2022, which was subsequently extended till 30th September, 2022 by an order dated 7th April, 2022. We have also directed the parties to appear before the Learned District Judge to dispose of the application under Section 13B of the Hindu Marriage Act, 1955 on the date fixed.
2. It is submitted that the neither the husband has paid the said amount nor he has appeared before the learned District Judge. The order dated 7th April, 2022 itself provides for a remedy namely giving an opportunity to the wife to pray for recalling of the order dated 7th April, 2022 in the event of non-payment of the said amount.
3. In view of the fact that the husband has not complied with this order, the order dated 31st March, 2022 read with order dated 7th April, 2022 stand recalled.
4. The contempt application stands disposed of. However, there

shall be no order as to costs.

5. Liberty to mention for listing of the appeal before the appropriate Bench having the determination.

(Soumen Sen, J.)

(Ajoy Kumar Mukherjee, J.)