

20.04. 2022
item No.12
n.b.
ct. no. 34

CRR 256 of 2015

Rini Mukherjee(Bhattacharya)
Vs.
Sumit Mukherjee

Mr. Shibaji Kumar Das,
Ms. Rupsa Srimani
.....for the petitioner

The order dated 29.11.2014 passed by the Learned Chief Judicial Magistrate, Hooghly in M.C.(Ex) no.14 of 2013 is set aside.

The Learned Chief Judicial Magistrate, Hooghly is directed to rely upon the Judgment of the Hon'ble Supreme Court in Poongodi & Anr. Vs. Thangavel reported in (2013) 10 SCC 618 and arrive at a fresh finding. So far as the reasons so assigned by the Learned Court is concerned the same is against the settled principle of law as interpreted by the Hon'ble Supreme Court of India.

Accordingly, CRR 256 of 2015 is allowed.

All pending connected applications, if any, are consequently disposed of.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Tirthankar Ghosh, J.)