

21.02.2022
S/L No.2
KS

(Via Video Conference)
C.R.R. 1079 of 2011
Jiyarul Sk. @ Babor
-Vs.-
The State of West Bengal & Anr.

Mr. Prosenjit Mukherjee
.....For the Petitioner
Mr. Binoy Panda
Mr. Pravas Bhattacharya
.....For the State

The revisional application is listed today for hearing.

Mr. Prosenjit Mukherjee, learned advocate for petitioner appears before the Court and produces xerox copies of order dated 11.08.2016 passed by Learned Civil Judge, Junior Division, 1st Court, Rampurhat, in Title Suit No.147 of 2010 and order dated 30.09.2015 passed in Misc. Case No.204 of 2010 (T.R. 3331 of 2010) in connection with O.P.'s application under Sections 18, 19, 20 and 22 of the P. W. D.V. Act. The xerox copies of orders be taken on record.

It is submitted by learned advocate for the petitioner that this revisional application was filed by him against an ex parte interim order dated 12.01.2010 passed by Learned Chief Judicial Magistrate, Suri, Birbhum in Misc. Case No.204 of 2010 under P.W.D.V. Act where interim maintenance was allowed to O.P No

2. It is submitted that the main case in which interim order of maintenance was passed in favour of the present O.P. No. 2 has been dismissed and furthermore in Title Suit No.147 of 2010, the Learned Jurisdictional Court declared that there was no marriage between Sanjida Bibi and the present petitioner.

Accordingly, it is submitted that the present revisional application is of no avail to the petitioner and the same may be disposed of in accordance with law.

Considered the submissions.

Perused the copy of the orders in Title Suit No.147 of 2010 as well as Misc. Case No.204 of 2010 under P.W.D.V. Act. The prayer for monetary relief under Section 20 of P.W.D.V. Act was rejected by the Learned Magistrate in final form. Therefore, the scope of providing interim maintenance does not arise. The present application for revision is accordingly disposed of in the light of my aforesaid observation.

Let a copy of this order be communicated to Learned Judicial Magistrate, 2nd Court, Suri.

(Ananda Kumar Mukherjee, J.)