

18.08.2022
S/L No.83
KS

C.R.R. 1905 of 2010

Smita Laha

-Vs.-

Shibasish Laha & Anr.

The revisional application was preferred for modification of the order dated 20.05.2010 passed by the Learned Judicial Magistrate, 5th Court, Alipore in M. Case No.621 of 2008. By the said order, the Learned Magistrate was pleased to award a sum of Rs.20,000/- per month to be paid to the present petitioner by the opposite party/husband. Records of the revisional application reflect that there was a direction for service on 29.06.2010 when the matter appeared for the first time. Thereafter the matter appeared on 07.01.2011, 23.06.2011 and 18.07.2022. Today when the matter has been called none appears on behalf of the petitioner.

Having regard to the subject-matter of the case and the time period which has elapsed, in the meantime, I grant liberty to the petitioner to canvass the issues raised in the revisional application before the Learned Magistrate by invoking appropriate provisions of law as more than 10 years have passed since the revisional application was admitted and the order was passed by the Learned Magistrate. I am of the opinion that there has been change of circumstances and considering the same, I direct the Learned Magistrate that in case such application is preferred the Learned Magistrate would consider the same in accordance with law.

With the aforesaid observations, C.R.R. 1905 of 2010 is disposed of.

Pending applications, if any, are consequently disposed of.

Interim order, if any, is hereby vacated.

All parties are directed to act on the server copy of this order downloaded from the official website of this Hon'ble Court.

(Tirthankar Ghosh, J.)