

IN THE HIGH COURT OF ORISSA AT CUTTACK
RPFAM NO. 21 OF 2022

Nayan Kanhar

.... ***Petitioner***

Mr. Abhishek Mohanty, Advocate

-versus-

Rasmita Kanhar and others

.... ***Opp. Parties***

CORAM:
JUSTICE K.R. MOHAPATRA

ORDER

25.04.2022

Order No.

I.A. No. 110 of 2022

3. 1. This matter is taken up through hybrid mode.
2. This is an application for extension of time to comply with the order dated 23rd February, 2022 by which the RPFAM was disposed of.
3. Mr. Mohanty, learned counsel for the Petitioner submits that this Court vide order dated 23rd February, 2022 while disposing of RPFAM directed that in the event the Petitioner files an application under Section 127 Cr.P.C. for variation of the order/alteration of allowances within a period of two weeks hence from the date of the said order, the same shall be considered by learned Judge, Family Court, Kandhamal, Phulbani in accordance with law, giving opportunity of hearing to the parties concerned. It is his submission that the Petitioner is serving as a Constable and was on election duty at the relevant time. Hence, he could not comply with the said order within the time stipulated. As such, he prays for some time to comply with the order dated 23rd February, 2022.

4. Taking into consideration the submission made by learned counsel for the Petitioner, the I.A. is disposed of with a direction that in the event the Petitioner files an application under Section 127 Cr.P.C. for variation of the order/alteration of allowances passed by learned Judge, Family Court, Kandhamal, Phulbani in CRP No. 20 of 2020 within a period of two weeks hence along with certified copy of this order, he shall do well to proceed with the matter in accordance with the direction made in the order dated 23rd February, 2022 in RPFAM No.21 of 2022.

5. The order dated 23rd February, 2022 is modified to the aforesaid extent.

6. The I.A. is accordingly disposed of.

Urgent certified copy of this order be granted on proper application.

(K.R. Mohapatra)
Judge

bks

