

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.2414 of 2016

Smt. Priyanka Priyadarsani Panda *Petitioner*
-versus-
Partha Sarathi Panda and others *Opposite Parties*

CORAM: JUSTICE S. PUJAHARI

ORDER

24.02.2022

Order
No.

03. 1. This matter is taken up through hybrid mode.
2. This application under Section 482 of Cr.P.C. has been filed by the Petitioners with a prayer to quash the order dated 11th July, 2016 passed by the learned S.D.J.M., Bhadrak in D.V. Misc. Case No.415 of 2011.
3. Heard the learned counsel for the parties.
4. The Petitioner filed a petition under Section 91 of Cr.P.C. to call for the pay particulars of the Opposite Party No.1-husband in the aforesaid D.V. Misc. Case where monetary relief has been sought for. However, the trial Court has rejected the same. As such, the Criminal Misc. Case challenging the said order.

5. Since the aforesaid being essential document for the purpose of quantify of monetary relief, if at all the Petitioner is entitled to, this Court should not have refused to call for the same in this Criminal Misc. Case. Hence, the impugned order is set aside. Consequently, the trial court is directed to take steps to call for the pay particulars of the Opposite Party No.1- husband, as prayed for, and dispose of the aforesaid D.V. Misc. Case as early as possible, preferably within six months from the date of receipt of certified copy of this order. Both the parties are directed to cooperate with the trial.

(S. Pujahari)
Judge

DA