

IN THE HIGH COURT OF ORISSA AT CUTTACK
RPFAM No. 67 OF 2022

Debasis Pradhan **Petitioner**
Ms. Dipti Rekha Nanda, Advocate
-versus-
Supriya Pradhan @ Rakhi and another **Opp. Parties**

CORAM:
JUSTICE K.R. MOHAPATRA

ORDER
13.09.2022

Order No.

I.A. No.259 of 2022

4. 1. This matter is taken up through hybrid mode.
2. This is an application for clarification/ modification of the order dated 2nd August, 2022, by which the RPFAM was disposed of.
3. Ms. Nanda, learned counsel for the Petitioner submits that in Paragraph-2 of the order, the figure Rs.7,500/- should be corrected as Rs.7,000/- as learned Judge, Family Court has directed to pay Rs.7,000/- per month to the Opposite Party No.1- Wife. It is further submitted that although an affidavit dated 29th July, 2022 has been filed to bring documents showing income of the Petitioner, the same was not brought on record on the date of hearing of the RPFAM. Hence, the same could not be brought to the notice of the Court at the time of disposal of the RPFAM.
4. On perusal of the order dated 2nd August, 2022, by which the RPFAM was disposed of, reveals that an observation is made to the effect that as no material is produced before this Court

with regard to income of the Petitioner, it is not in a position to verify the correctness of the submission made by learned counsel for the Petitioner.

5. On perusal of the documents filed by learned counsel Petitioner along with affidavit, it appears that the Tahasildar, Digapahandi has issued an income certificate in favour of the Petitioner on 4th July, 2022, which discloses that the annual family income of the Petitioner is Rs.60,000/-. The said income certificate has been obtained after disposal of the Criminal Proceeding No.04 of 2021. As such, the same could not have been taken into consideration by learned Family Court while adjudicating the matter. It further reveals that the said income certificate was obtained during pendency of the RPFAM.

6. In that view of the matter, the observation made at Paragraph-4 of the order dated 2nd August, 2022, by which the RPFAM was disposed of, does not need any clarification/modification.

7. I.A. is allowed to the aforesaid extent.

8. The order be corrected accordingly.

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

(K.R. Mohapatra)
Judge

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