

IN THE HIGH COURT OF ORISSA AT CUTTACK

MATA No.78 of 2022

Prasanta Kumar Sahu

....

Appellant

Mr. A. Mishra, Advocate

-versus-

Sanghamitra Sahu

....

Respondent

CORAM:

JUSTICE C.R. DASH

JUSTICE M.S.SAHOO

ORDER

21.04.2022

Order No.

01.

1. This matter is taken up by hybrid (virtual/physical) mode.
2. Heard learned counsel for the appellant. Though, the matter is listed under the heading 'Orders', it is taken up for final disposal by consent of the learned counsel for the appellant.
3. Learned Judge, Family Court, Sambalpur struck up the pleadings of the appellant and consequently dismissed the suit in C.P. No.21 of 2021 on the ground that the appellant has not paid the interim maintenance to the opposite party-wife and filed false affidavit to that effect. For such conduct of the appellant, learned counsel appearing for him tendered unconditional apology and submits that the matter may be remanded to be taken up from the stage before the order dated 21.03.2022 was passed and the appellant is ready and willing to deposit the entire arrear outstanding dues of interim maintenance before the Judge, Family Court, Sambalpur within six weeks from today.
4. Regard being had to such submissions, we deem it just and proper to remand the matter to the learned Judge, Family Court,

Sambalpur for disposal fresh on merit and the matter be taken up from the stage prior to passing of the order dated 21.03.2022 provided the appellant deposit the aforesaid arrear outstanding dues, the wife is entitled to receive within a period of six weeks from today.

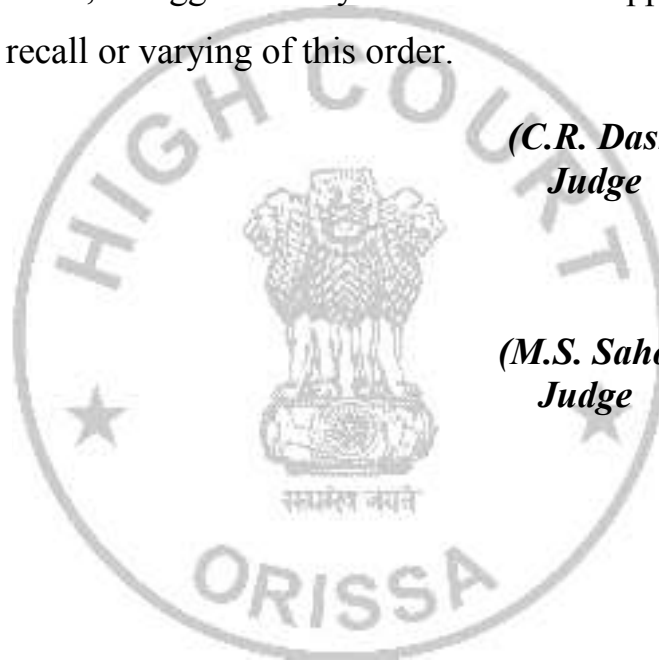
5. If he fails to do so, this order shall have no effect.

6. Accordingly, the MATA is disposed of.

7. As we are passing this order in absence of the respondent, the respondent, if aggrieved by this order can approach this Court for recall or varying of this order.

(C.R. Dash)
Judge

(M.S. Sahoo)
Judge



RRJena/Gs