

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.40492 of 2021

Prabin Acharya & Ors.

....

Petitioner(s)

Mr. K.Ch. Pradhan,
Advocate

-versus-

Ahalaya Panigrahi & Anr.

....

Opposite Party(s)

CORAM:

JUSTICE BISWANATH RATH

ORDER

02.02.2022

Order No.

01.

1. This matter is taken up by video conferencing mode.
2. Considering the submission made by the learned counsel for Petitioner and looking to the observation as well as reasons made in deciding the Misc. Case No.278 of 2021, this Court finds, the Respondent No.1-husband has admitted to have been receiving monthly salary of Rs.21,115/-. There is no denial to the fact that the wife is staying away from the husband. In such view of the matter, grant of a sum of Rs.4,500/- in favour of the deserted wife is not in higher side.

For the pendency of the dispute between the parties, survivability of the wife is paramount consideration. This Court, in the above circumstance, declines to interfere in such orders.

3. The writ petition is accordingly dismissed.
4. As restrictions due to resurgence of COVID-19 situation are continuing, learned counsel for the parties may utilize a printout of the order available in the High Court's website, at par with certified copy,

subject to attestation by the concerned advocate, in the manner prescribed vide Court's Notice No.4587, dated 25th March, 2020 as modified by Court's Notice No.4798, dated 15th April, 2021 and Court's Office order circulated vide memo Nos.514 & 515 dated 7th January, 2022.

(Biswanath Rath)
Judge

Ayaskanta Jena

