

IN THE HIGH COURT AT CALCUTTA
CIVIL REVISIONAL JURISDICTION
APPELLATE SIDE

CO 490 of 2023

Smt. Sanchita Kushary Bose
Vs.
Rajdeep Bose

Mr. Aniruddha Chatterjee
Ms. Shohini Chakraborty
Mr. Arijit Sarkar
... For the petitioner

Mr. Arik Banerjee
Mr. Pujon Chatterjee
... For the opposite party

This revisional application under Article 227 of the Constitution of India has been filed challenging the order no.43 dated 9th February, 2023 passed by the learned Additional District Judge, Eleventh Court, Alipore, South 24-Parganas, whereby the learned Judge refused to consider the amendment application filed after six years and directed the petitioner to file affidavit of assets and liabilities.

From the order itself, it appears that this Court already directed for disposal of the application under Section 24 of the Hindu Marriage Act before second week of March, 2023.

Mr. Arik Banerjee, learned advocate, appearing on behalf of the opposite party has contended that the amendment petition cannot be taken into account and that

too after lapse of six years. Referring to a case of the Hon'ble Apex Court in **Rajnish v. Neha & Ors.** reported in **(2021) 2 SCC 324**, Mr. Banerjee has submitted that in this situation, Hon'ble Apex Court opined that supplementary affidavit may be filed incorporating all the financial status of the party and any change of circumstances or any new information.

Considering all the aforesaid facts and circumstances, I find hardly any scope to interfere with the order passed by the learned Judge on 9th February, 2023 in connection with Miscellaneous Case No.675 of 2017.

However, the petitioner/wife is at liberty to file a supplementary affidavit on or before 6th March, 2023 incorporating all the changed circumstances in respect of financial status and other facts before the learned Judge.

The learned Judge is also requested to dispose of the application under Section 24 of the Hindu Marriage Act considering the supplementary affidavit filed by the petitioner/wife and also after hearing both the parties to the Miscellaneous Case No.675 of 2017.

With the aforesaid observation, the revisional application, being CO 490 of 2023, stands disposed of.

Petitioner/wife is at liberty to communicate this order to the learned Additional District Judge, Eleventh Court, Alipore, South 24-Parganas, forthwith.

Urgent photostat certified copy of this order, if applied for, be given to the parties, upon compliance of necessary formalities.

(Bibhas Ranjan De, J.)