

23.03.2023

ap
51

CRR 1118 of 2015

Anwar Hossain
Vs.
Sarwari Khatoon

None appears even on the second call.

This case has been pending since 2015 and is appearing in the list since 18th January, 2023. The matter was called on each working day of this Court since then but nobody appeared for any of the parties.

Therefore, in this old matter without wasting any further time, the case is taken up for final determination on merit.

Order dated 9th March, 2015 by learned Metropolitan Magistrate, 8th Court, Calcutta in C/231/2010 is under challenge in this case. In the said case vide order dated 16th December, 2010 the present petitioner has been directed to pay a sum of Rs. 1,20,000/-in twelve equal installments to the opposite party as maintenance, in a proceeding under the Protection of Women from Domestic Violence Act, 2005. The petitioner has put forth the ground that the Magistrate has wrongly dwelt upon the facts of the case as well as erroneously not applied the prevalent laws and thus come to an erroneous finding. He says that the Magistrate order is not maintainable in law and that me be set aside.

Considering the grounds pleaded and materials on record, those are found to be not sufficient and satisfying enough to support the petitioner's case. Accordingly, this case is devoid of any merit and is liable to be dismissed.

The revisional application, being CRR 1118 of 2015, is dismissed.

Interim order, if any, stands vacated.

Connected application, if any, is also dismissed.

RAI
CHATTOP
ADHYAY

Digitally signed
by RAI
CHATTOPADHYA
Y
Date: 2023.03.23
18:14:12 +05'30'

(Rai Chattopadhyay, J.)