

17.10.2023
Serial no. 45
[G.S.D]

CRR 3869 of 2023

In the matter of : Debashis Choudhury

... .. Petitioner

Ms. Mousumi Bhowal

... for the Petitioner

The present revisional application has been preferred challenging the order dated 16.09.2023 passed by the Id. JM, 3rd Court, Malda.

Ld. advocate appearing for the petitioner submits that there were certain landed properties which were suppressed in the Affidavit-of-assets and the petitioner took out an application pointing out the ownership of the property and his belongings to the lady/o.p.

The Id. trial court without taking the same into consideration, disposed of the said application and fixed date on 09.10.2023 for passing interim order relating to maintenance.

I have considered the submissions of the Id. advocate appearing for the petitioner and I am of the opinion that the revisional application is premature in view

of the fact that suppression relating to declaration of assets would be decided by the Id. trial court at the stage of quantification of the interim maintenance, if any and/or at the trial of the proceeding. The Id. trial court by the order dated 16.9.2023 fixed 9.10.2023 for passing order in respect of interim maintenance.

Having considered the same, I am of the view that the revisional application is premature. No interference is made by this court.

With the aforesaid observations, CRR 3869 of 2023 is dismissed.

Pending application, if any, is also disposed of.

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court at Calcutta.

Urgent Photostat certified copy of this order, if applied for, be supplied to the parties, subject to compliance with all requisite formalities.

(Tirthankar Ghosh, J.)