

04.04.2024
Serial no. 54
[G.S.D]

CRR 1320 of 2024

In the matter of : Amit Ganguly

... .. Petitioner

Mr. Ananda Gopal Mukherjee

... for the petitioner

The order passed by the Id. Magistrate reflects that the ex parte maintenance passed in M. Case No. 524 of 2019 has been vacated and the said order was directed to take effect from the date when the order was passed on 4th of February, 2023.

The said order was challenged before the Id. Revisional court and the Id. Revisional court by its order dated 20th January, 2024 in Criminal Revision No. 278 of 2023 dismissed the revisional application with certain observations.

Since the Id. Magistrate has allowed the application under section 126(2) of the cr.p.c., an opportunity of evidence must be granted to the husband.

Accordingly, I direct that as the next date has been fixed on 6th of June, 2024, the Id. JM, 5th Court, Barrackpore, if possible, would pre-pone the date and direct that in case further examination in chief is not required by the applicant, she may tender herself and the other

witnesses for cross-examination by the present petitioner/husband. The whole process may be concluded within a period of three months from the first date of cross-examination being fixed by the Id. JM.

So far as the rest of the order is concerned, no interference is made by this court.

With the aforesaid observations, CRR 1320 of 2024 is disposed of.

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, 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.)