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CRAN 1 of 2024

In the matter of : Lakshmi Hazari @ Laxmi Hazari @ Lakshmi
Hazari (Mondal) petitioner.

Mr. Navanil De
Ms. Monami Mukherjee ...for the petitioner.

Mr. Kallol Kumar Basu
Md. Junnat Ul Firdous ...for the opposite party.

In Re: **CRAN 1 of 2024**

The petitioner seeks condonation of delay of 324 days in filing the revisional application.

Heard learned counsels for the parties.

In objecting to the application, learned counsel for the opposite party submits that the day to day delay has not explained by the petitioner.

The petitioner is the wife of the opposite party and has submitted that she was dependent on the law clerk for representing her in the proceeding before the Trial Court. The law clerk could not be traced from 15th July, 2023 and the petitioner had to run from pillar to post to arrange for money to file the case. The revisional application was finally filed on 10th April, 2024.

True, day to day delay has not been elaborately explained by the petitioner. Nevertheless, since the matter relates to matrimonial dispute between the parties and it is trite law that an application for condonation of delay needs to be construed liberally, the application is allowed. The matter needs to be heard on merits and not dismissed merely on technical grounds. The delay is condoned.

The application being CRAN 1 of 2024 is disposed of.

In re: **CRR No. 1534 of 2024**

The petitioner is aggrieved by the reduction of interim maintenance made by the learned Sessions Judge, Barasat, North 24 Parganas vide order passed on February 7, 2023 in Criminal Revision No.41 of 2023. Initially the learned Trial Court granted interim maintenance to the tune of Rs.8,000/- per month which was reduced by the learned Sessions Judge to Rs.4,000/- per month without assigning any reasons therefor.

Learned counsel for the opposite party submits that it shall be extreme hardship for the opposite party to continue to pay maintenance to the tune of Rs.8,000/- per month.

Since the revisional application before the learned Sessions Judge is pending, the learned Judge is directed to dispose of the said application as expeditiously as possible, preferably within three months from the next date fixed before him.

In the meantime, the opposite party shall continue to pay interim maintenance to the petitioner to the tune of Rs.6,000/- per month till disposal of the revisional application pending before the learned Sessions Judge.

In view of the above, the revisional application being CRR 1534 of 2024 is disposed of.

Urgent certified website copy of the order, if applied for, be given to the parties on compliance of requisite formalities.

(Suvra Ghosh, J.)