

02-05-2025
Item no.39
Subrata
Bhattacharyya
AR(C)

IN THE HIGH COURT AT CALCUTTA
Civil Revisional Jurisdiction

CO No.418 of 2025
Smt. Debjani Lahiri
-vs-
Sri Sohaam Lahiri

Ms. Krishnakali Swar
Ms. Pritha Maity ...for the petitioner

Mr. Sanjoy Mukherjee
Mr. Saurav Chaudhuri ...for the opposite party

This application under Article 227 of the Constitution of India is at the instance of the wife and is directed against an order dated January 16, 2025 passed by the learned Additional District Judge, 11th Court at Alipore in Matrimonial Suit No.48 of 2017.

By the order impugned, the prayer for stay of the matrimonial suit was rejected. When the matter came up for hearing on April 22, 2025, it was submitted by learned advocate for the petitioner that the learned trial judge was proceeding with the hearing of the matrimonial suit, in spite of the fact that the miscellaneous case for alimony pendente lite was not disposed of. In view thereof, the matter was directed to appear in the list on April 28, 2025.

Today, when the matter is taken up for hearing, Mr Mukherjee, learned advocate for the opposite party submits that on April 25, 2025, the miscellaneous case was allowed in part thereby directing the opposite party herein to pay litigation costs to the wife and refusing the prayer for interim maintenance.

Learned counsel for the petitioner submits that the petitioner did not get reasonable opportunity to present her case before the learned trial judge as her prayer for adjournment was rejected.

However, this court cannot go into such issues in this revisional application. The petitioner is left open to work out her remedies in accordance with law.

Since in the meantime, the miscellaneous case for alimony has been disposed of, this court is not inclined to interfere with such order at this stage.

With the above observations, CO No.418 of 2025 stands disposed of. No order as to costs.

All parties are to act on the server copy of this order duly downloaded from the official website of this court.

Certified copy of this order, if applied for, shall be made available to the parties.

[Hiranmay Bhattacharyya, J]

