

14.05.2025
Item No.30
Court No.06.
S. De

C.O. 1639 of 2025

Smt. Debasree Saha.
Vs
Sri Ananda Bhattacharjee.

Ms. Manali Biswas,
Mr. Mrinal Saha, ...for the petitioner.

This application under Article 227 of the Constitution of India is at the instance of the wife and is directed against an order being No. 90 dated December 4, 2024 passed by the learned Additional District and Sessions Judge, First Court at Alipore in Miscellaneous Case No.224 of 2018. By the order impugned, the application under Section 24 of the Hindu Marriage Act, at the instance of the wife, was disposed of by directing the husband to pay litigation cost of Rs.20,000/- per month.

The learned advocate appearing for the petitioner submits that in the Affidavit-of-Assets the husband/opposite party herein has not disclosed the correct particulars.

It is not in dispute that the wife/petitioner herein is employed as a para-teacher. However, from the Affidavit-of-Assets filed by the wife before the learned Trial Judge, it appears that as against the column, petitioner income, the wife has kept it blank

and has not mentioned her monthly income in the Affidavit-of-Assets.

The learned Trial Judge, after taking note of the statements made in the Affidavit-of-Assets by the husband and the wife has arrived at a finding that there is no huge disparity in the financial status of the parties to the proceeding.

It is not in dispute that the wife has an independent income of her own to support herself.

In such view of the matter, I am not inclined to interfere with the order impugned.

C.O. No.1639 of 2025 is dismissed.

There shall be no order as to costs.

Urgent certified photostat copy of this order, if applied for, shall be given to the parties as expeditiously as possible on compliance with all the necessary formalities.

(Hiranmay Bhattacharyya, J.)