

11.2.2025
50
Ct. no. 237
sb

CO 3749 of 2024

Rajeev Kumar Jain
Vs.
Rashmi Jain

Mr. Sanjay Kr. Baid
Mr. Saunak Sengupta ...for the Petitioner

Mr. Supriyo Das ...for the Opposite Party

This is an application wherein the petitioner contended that in application under Section 12 of D.V. Act and proceeding under Section 125 of the Code of Criminal Procedure, petitioner's address is described as 529/1, Canal Street and she admitted in the application that he had left the said address and residing somewhere else.

However, when she filed instant proceeding under Section 24 of the Hindu Marriage Act, being Misc. Case no. 182 of 2023 arising out of MAT suit no. 616 of 2020, she has wrongly put the address of opposite party/husband in the cause title of said Misc. Case as 529/1, Canal Street but later on, sent the process to a different address namely **"Rajeev Jain, S/o Lt. Sudhir Kumar Jain, 9/2, Ekdalia Place, Police Station- Gariahat, Kolkata- 700019"**.

The grievance ventilated herein is that the said application under Section 24 of the Act of 1955 was sent to the petitioner herein without amending the

cause title of the application filed under Section 24 of the Hindu Marriage Act.

Learned counsel for the opposite party also submits that the cause title describing address of said application under Section 24 needs to be amended.

Having considered the facts and circumstances of the case and having heard learned counsels for both the parties, the present application being C.O. 3749 of 2024 is hereby disposed of by giving liberty to pray before the court below for seeking an amendment of the address of petitioner herein in the cause title of the application filed under Section 24 of the Hindu Marriage Act, 1955 within a period of three weeks from the date of communication of the order and in the event of making such prayer, the court below will make the amendment in the cause tile within a period of two weeks thereafter.

The Trial Court is further directed to make every endeavour for expeditious disposal of the said application under Section 24 of the Hindu Marriage Act, 1955 and to make his best effort to conclude the entire proceeding initiated under Section 24 of the Hindu Marriage Act preferably within a period of one month thereafter without being influenced by any observations made herein and all points shall be kept open to agitate by both the parties before the court below.

Urgent Photostat certified copy of this order, duly applied for, be given to the parties upon compliance of all requisite formalities.

(Dr. Ajoy Kumar Mukherjee, J.)