

03.07.2026
Court No.2
Item No.23
sudipta

**IN THE HIGH COURT AT CALCUTTA
CIVIL REVISIONAL JURISDICTION
APPELLATE SIDE**

CO 166 of 2024

**Bappa Ghosh
Vs.
Debashree Ghosh**

Mr. Arnab Mukherjee
Mrs. Rituparna Sil Sarkar

...for the petitioner

Mr. A. B. Chakraborty

...for the petitioner

1. Learned counsel for the petitioner submits that the impugned order under Section 24 of the Hindu Marriage Act dated 20th September, 2023, which has been impugned in the present case, has been passed without calling for the income and expenditure affidavit of the parties.

2. Learned counsel for the opposite party has also stated at bar that such affidavits were not called for.

3. Learned counsel for the petitioner further submitted that in view of the judgment of the Apex Court in **Rajnesh Vs. Neha & Anr.** reported in **(2021) 2 SCC 324** calling for the affidavit of income and expenditure is mandatory.

4. In view of the submissions made, the impugned order is set aside.

5. The matter is remanded back to the learned Trial Court with a direction to call for the affidavit of income and liability of the parties in terms of the direction of decision in the case of **Rajnish Vs. Neha & Anr.** **(supra)**.

6. Learned Trial Court shall dispose of the application under Section 24 of the Hindu Marriage after calling for the income and expenditure affidavit within eight weeks after giving opportunity to the parties of being heard in accordance with law. However, till the time such application is decided, the petitioner shall continue to send the amount of Rs.1000/- by money order in terms of order of this Court dated 18th February, 2026. This amount will be an addition to Rs.9000/- which is being deducted from the salary of the petitioner.

7. In view of the above discussions, the present petition stands disposed of.

8. All parties shall act on the basis of the server copy of this order duly downloaded from the official website of this Court.

(Dinesh Kumar Sharma, J.)