

30.4.2026
09.
BD

CRR 684 of 2025

Smt. Sarmistha Das

Vs.

Sri Atanu Das & Ors.

Mr. Pawan Kumar Gupta
Mr. Biswarup Paine ...for the Petitioner

The petitioner herein is aggrieved for not disposing the petitioner's prayer for interim relief in the main application filed under section 12 of the Domestic Violence Act, 2005.

He further submits that the court below has recorded by its order dated 16.11.2018 that a prayer has been made under section 23(2) of the Protection of Women from Domestic Violence Act, 2005 supported by swearing an affidavit for interim relief. Till date no interim relief has been granted in favour of the petitioner on the ground that no separate application for interim relief has been filed by the petitioner.

In such circumstances, the petitioner seeks to grant leave to file a separate fresh application for interim relief and also prayed for further direction upon the court below to dispose of such application within a time limit.

Having heard learned counsel for the petitioner it appears that the prayer made by the petitioner is innocuous. The service of copy of application upon the

opposite parties is hereby dispensed with, considering nature of prayer made herein.

Having heard learned counsel for the petitioner and that the prayer made by the petitioner can be allowed to secure the ends of justice, the instant application being CRR 684 of 2025 is hereby disposed of giving liberty to the petitioner to make a fresh prayer under section 23 of the said Act of 2005 within a period of one week. In the event of filing such application, the court below will give an opportunity to file written objection by the opposite party no. 2 herein within a period of two weeks. Thereafter the court below will dispose of such application along with objection, if any, within a period of four weeks thereafter.

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.)