

Act VIII-41/2020
Present : Dr. Moumita Bhattacharya, A.D.J., 9th Court, Alipore J.O. Code-
WB00810

Order No. 45
19.04.2024

Today is fixed for further hearing.

The petitioner files hajira. The O.P. filed a petition praying for time on the ground that the Ld. Senior Counsel is out of station. Both the parties appeared before the Court in absence of each other and while the Ld. Junior Counsel for the respondent was asked to present her prayer for time in presence of the Ld. Counsel for the petitioner, she did not appear at the said time.

The Ld. Counsel for the petitioner drew attention of the Court to the order No. 41 dated 20.12.2023 wherein this Court had directed the respondent to file the necessary particulars of the child regarding his schooling and also his extra curricular activities on the next date with copy to the petitioner. It is the contention of the petitioner that the order has not been complied.

On perusal of the record I find that the next date after passing the above order, was fixed on 07.03.2024. On the said date, the respondent did not comply with the order of this Court. Today has been the next date immediately after 07.03.2024 and today also the respondent side had remained silent with respect to the compliance of this order. Although the ground mentioned in the adjournment petition is not a very good ground supported by the C.P.Code for praying for adjournments, yet for ends of justice even if the same is considered to be allowed, this Court views the conduct of the respondent strictly due to non-compliance of the order of the Court.

The case is adjourned today with a strict direction upon the respondent to proceed with the hearing on the next date positively without fail and also to comply the direction given in order No. 41 dated 20.12.2023 failing which this Court shall be compelled to note the conduct of the respondent in an adverse manner and keep in mind the same while passing the subsequent orders in this case.

To 27.06.2024 for further hearing of the matter and complying with the direction by the respondent as last chance.

D & C by me.

A.D.J., 9th Court, Alipore, South 24 Pgs

A.D.J.