

ITEM NO.66

COURT NO.10

SECTION XIA

S U P R E M E      C O U R T   O F   I N D I A  
R E C O R D   O F   P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Civil)...../2012  
CC 5475/2012

(From the judgement and order(s) dated 28-NOV-11 in RFA No. 11/2002  
of the HIGH COURT OF ORISSA AT CUTTACK)

PRATIVA DAS

Petitioner(s)

VERSUS

KAMAL LOCHAN DAS

Respondent(s)

IA NO.1(c/delay in filing SLP and permission to appear and  
argue in person)

Date: 09/04/2012      This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE DEEPAK VERMA  
HON'BLE MR. JUSTICE K.S. RADHAKRISHNAN

For Petitioner(s)      Petitioner-In-Person

For Respondent(s)

UPON hearing counsel the Court made the following  
O R D E R

Delay condoned.

By order dated 28.11.2011, Division Bench of  
the High Court of Orissa at Cuttack has restored both  
the Suits and directed the District Judge to  
simultaneously proceed with both the Suits and conclude  
the same within a period of four months thereafter.

Petitioner - wife had also filed another application

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for enhancement of the amount of maintenance awarded to

her. The same is now been enhanced to Rs.3,500/- p.m.

She has made two fold submission before us:

(i) That despite the said order having been  
passed on 28.11.2011, the record has not  
been sent to the District Judge so far.

Thus no proceedings are taking place.

(ii) That looking to the present pay  
structure of the respondent, the amount of  
maintenance of Rs.3,500/- p.m. awarded to  
her is on lower side.

As regards grievance No.1 is concerned,  
Registrar General of the High Court shall look into the  
matter and would do the needful at the earliest. For  
enhancement of amount of maintenance, petitioner would  
be at liberty to move the District Judge/Family Court  
for further enhancement. On such an application being  
filed, the District Judge/Family Court would consider  
the same and dispose it of on merits, in accordance  
with law at an early date.

With the aforesaid directions, special leave  
petition stands disposed of.

Registry is directed to send a copy of order  
to the Registrar General, High Court of Orissa,  
forthwith.

(A.D. Sharma)  
Court Master

(S.S.R. Krishna)  
Court Master