

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO(S).331/2017
(Arising out of Special Leave Petition (Crl.) No(s). 407/2017)

BIVAS PANDA

APPELLANT(s)

VERSUS

KAKALI PANDA AND ANR.

RESPONDENT(s)

O R D E R

Leave granted.

We have heard learned counsel for the parties.

The main contention raised by the appellant in this appeal is that by the impugned order the High Court has enhanced the maintenance to be given to respondent no. 1 without even issuing notice to the appellant. The learned counsel for the respondents could not dispute this contention. On this ground alone the impugned order is set aside and the High Court may proceed with the matter afresh after hearing the learned counsel for the appellant as well. For this purpose, we fix the date 8th March, 2017 before the High Court. No notice of the aforesaid hearing is required to be given to the appellant and the appellant shall appear before the Court on that date. We make it clear that this Court has not

expressed any opinion on the merits of the case.

The appeal is disposed of accordingly.

.....J.
[A.K. SIKRI]

.....J.
[R.K. AGRAWAL]

NEW DELHI;
FEBRUARY 14, 2017.

ITEM NO.10

COURT NO.8

SECTION IIB

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 (Crl.) No(s). 407/2017

(Arising out of impugned final judgment and order dated 02/12/2016 in CRR No. 2106/2016 passed by the High Court Of Calcutta)

BIVAS PANDA

Petitioner(s)

VERSUS

KAKALI PANDA AND ANR.

Respondent(s)

(WITH APPLN. (S) FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT AND INTERIM RELIEF AND OFFICE REPORT)

Date : 14/02/2017 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE A.K. SIKRI
HON'BLE MR. JUSTICE R.K. AGRAWAL

For Petitioner(s) Mr. Pijush K. Roy, Adv.
Ms. Kakale Roy, Adv.
Mr. Rajan K. Chourasia, Adv.

For Respondent(s) Mr. Balraj Dewan, Adv.
Mr. Shafiq Khan, Adv.

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

The appeal is disposed of in terms of the signed order.

Pending application(s), if any, stands disposed of accordingly.

(Ashwani Thakur)
COURT MASTER

(Mala Kumari Sharma)
COURT MASTER

(Signed order is placed on the file)

