

**HIGH COURT OF TRIPURA  
AGARTALA**

**Crl.Rev.P. No.74/2022**

Sri Prasenjit Deb

.....Petitioner(s).

**V E R S U S**

Smt. Priya Majumder Deb & another

.....Respondent(s).

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For Petitioner(s) : Ms. A. Debbarma, Advocate.

For Respondent(s) : None.

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**HON'BLE THE CHIEF JUSTICE (ACTING)**

**Order**

**24/01/2023**

From the office note dated 21.01.2023, it transpires that despite effective service upon the respondents, there is no representation on their behalf. However, reasonable opportunity has been given to the respondents and this Court feels that no further accommodation needs to be accorded. Accordingly, the matter is heard *ex parte*.

Heard Ms. A. Debbarma, learned counsel appearing for the petitioner.

2. By means of this revision petition under Section 19(4) of the Family Courts Act, 1984, the petitioner has challenged the judgment dated 28.11.2022 passed by the learned Judge, Family Court,

Sonamura, Sepahijala Judicial District in case No. Crl.Misc.62 of 2021 whereby the learned Judge has directed the petitioner herein to pay a maintenance allowance of Rs.15,000/- per month in total to his wife and minor child from the date of application and also to pay arrears therefrom.

3. Petitioner has prayed for the following reliefs:

"(i) Admit the instant Criminal Revision Petition under Section 19(4) of the Family Courts Act, 1984, against Judgment, dated, 28.11.2022, passed by L'D Family Court, Sonamura, Sepahijala Judicial District, in Crl. Misc. 62/2021, U/S 125 of the Cr.P.C.

(ii) Issue notice upon the Respondents.

(iii) Call for records.

(iv) Hear the both sides.

(v) Allow the Criminal Revision Petition under Section 19(4) of the Family Courts Act, 1984, against the Judgment, dated, 28.11.2022, passed by L'D Family Court, Sonamura, Sepahijala Judicial District, in Crl. Misc. 62/2021, U/S 125 of the Cr.P.C by modifying the Judgment, dated, 28.07.2021, by directing the Petitioner to pay maintenance @ Rs.15,000/- per month to the Respondents herein, i.e., to the wife and the child from the month of December 2022 and not from the date of filing of Crl. Misc. 62/2021.

(vi) Pass any further order/orders as this Hon'ble High Court considered fit and proper."

4. Case of the petitioner, in short, is that the petitioner has challenged the judgment dated 28.11.2022 passed by the learned Judge, Family Court, Sonamura, Sepahijala Judicial District in case No. Crl.Misc.62 of 2021 by which the petitioner herein was directed to pay a monthly maintenance allowance of Rs.15,000/- in total to his wife and minor child since the date of filing of the application in Crl.Misc.62 of 2021. The learned Judge also directed the petitioner herein to pay the arrears of the aforesaid maintenance allowance within ten months, maximum in twelve installments from the date of passing of the impugned judgment. Aggrieved by the retrospective date of paying arrears of maintenance allowance from the date of filing of Crl.Misc.62 of 2021, petitioner filed the present revision petition. Hence, this case.

5. Ms. A. Debbarma, learned counsel appearing for the petitioner, contended that already in terms of the order of interim maintenance dated 18.11.2021, the petitioner has paid the amount @ Rs.10,000/- per month and there are no dues and insofar as the permanent maintenance order dated 28.11.2022 which has been passed while disposing the main petition being Crl.Misc.62 of 2021 under Section 125 of Cr.P.C., the Court has allowed maintenance allowance @

Rs.15,000/- per month and accordingly, the petitioner herein has agreed to pay the said amount.

6. In view of the aforesaid submission of the learned counsel for the petitioner, this Court feels that there is no ambiguity in the order of the lower Court. However, it is further clarified that the petitioner herein shall continue to pay the maintenance allowance @ Rs.15,000/- per month to the respondent-wife and her minor child which has been awarded under Section 125 of Cr.P.C.

7. With the above observations and directions, the revision petition is disposed of.

Send back the lower court records forthwith.

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

**CHIEF JUSTICE (ACTING)**

*Pulak*