

GAHC010112202024



**THE GAUHATI HIGH COURT**  
**(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)**

**Case No. : Crl.Rev.P./219/2024**

MONJURA KHANOM  
W/O ROFIQUL ISLAM, D/O MONNAF ALI, R/O HURKAKUCHI, P.O.-  
GOBINDAPUR, P.S. AND DIST- BONGAIGAON, ASSAM, PIN CODE-783380

VERSUS

ROFIQUL ISLAM AND 3 ORS  
S/O LATE SHEIKH OMAR ALI, R/O VILL- HASILAPARA, P.S. AND DIST-  
GOALPARA, ASSAM, PIN CODE-

2:FOZLUL KARIM  
S/O LATE SHEIKH OMAR ALI  
R/O VILL- HASILAPARA  
P.S. AND DIST-GOALPARA  
ASSAM  
PIN CODE-

3:SAHEHA KHATUN  
W/O LATE SHEIKH OMAR ALI  
R/O VILL- HASILAPARA  
P.S. AND DIST-GOALPARA  
ASSAM  
PIN CODE-

4:THE STATE OF ASSAM  
REPRESENTED BY THE PUBLIC PROSECUTOR  
ASSA

**Advocate for the Petitioner** : MR. A MANNAF, MD A S ALI

**Advocate for the Respondent** : PP, ASSAM, MR. R A CHOUDHURY (r-1,2,3), B BARMAN (r-1,2,3), MR. H ALI (r-1,2,3), MR H R A CHOUDHURY (r-1,2,3)

**BEFORE  
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA**

**ORDER**

**Date : 28.10.2024**

Heard Mr. A. Mannaf, learned counsel for the petitioner. Also heard Mr. H. Ali, learned counsel appearing for the respondent Nos. 1, 2 and 3 and Mr. M. P. Goswami, learned Additional Public Prosecutor for the State of Assam.

The present application has been filed praying for enhancement of the maintenance allowance granted by the learned Additional Chief Judicial Magistrate, Goalpara in DV Case No. 214/2021.

Mr. Ali, learned counsel appearing for the respondent Nos. 1, 2 and 3 has submitted that the respondents have already filed an appeal against the said judgment, the appeal has been registered as Criminal Appeal No. 16/2024 in the Court of the learned Sessions Judge, Gaolpara.

Mr. Ali, learned counsel has submitted that the respondents have not yet paid the interim maintenance allowance till now.

I have considered the submissions made by the learned counsel for both the sides.

Since, the appeal has been filed, the present application does not deserves to be considered at this stage.

However, the learned Session Judge, Goalpara in respect of Criminal Appeal No. 16/2024 which has been filed challenging the judgment passed by the Additional Chief Judicial Magistrate, Goalpara in DV Case No. 214/2021 shall take steps for issuance for payment of the interim compensation amount to the

present petitioner.

The respondents shall continue to pay the interim maintenance allowance till disposal of the appeal.

With the aforesaid directions, the present criminal revision petition stands disposed of.

However, after disposal of the aforesaid criminal appeal, the petitioner will have at liberty to approach this Court for seeking relief.

**JUDGE**

**Comparing Assistant**