



Serial No.04
Regular List

HIGH COURT OF MEGHALAYA
AT SHILLONG

Crl. Rev. P No.4 of 2025

Date of Order: 03.11.2025

Shri Artreki Tariang
Son of Smti R. Tariang
Resident of Rynjah, Shillong
East Khasi Hills District,
Meghalaya.

Vs. Smti Medakerrisha Lyngdoh
D/o Smti Z. Lyngdoh
R/o House No.43, Jaiaw
Umpohliew, East Khasi Hills
District, Shillong -793002,
Meghalaya.

.....PETITOINER.**.....RESPONDENT.****Coram:**

Hon'ble Mr. Justice B. Bhattacharjee, Judge

Appearance:

For the Petitioner/Appellant(s) : Mr. S. Thapa, Adv.

For the Respondent(s) : Mr. R. Kharkrang, Adv.

ORDER (ORAL)

Heard Mr. S. Thapa, learned Counsel appearing for the petitioner and Mr. R. Kharkrang, learned Counsel appearing for the respondent.

The grievance raised in this petition is with regard to the order dated 14-10-2024 passed in Interim Misc. Maint No. 55 of 2024 arising out of MCR No. 52 of 2024 where by an order was passed directing the employer of the petitioner to deduct an



amount of Rs. 10,000/- from the salary of the petitioner towards payment of interim monthly maintenance allowance to the respondent.

The learned Counsel for the petitioner submits that the Trial Court has passed the impugned order directing the employer of the petitioner to deduct the amount of interim maintenance allowance from the salary of the petitioner without affording any chance to the petitioner to pay the same directly to the respondent and without there being any default on the part of the petitioner to pay the same. He submits that such an order could have been passed by the Trial Court only when there was a default or refusal on the part of the petitioner to pay the amount. He, therefore, submits that the impugned order directing for deduction by employer is unjust and uncalled for as the petitioner is ready to pay the amount of interim monthly maintenance allowance directly to the respondent.

The learned Counsel for the respondent, on the other hand, does not dispute the fact that the order for deduction of interim maintenance allowance by the employer of the petitioner was made without there being any default or refusal on the part of the petitioner to pay the same. He, therefore, does not raise any objection to the submission that the petitioner may be allowed to pay the monthly interim maintenance allowance directly to the respondent.



In view of the submission made by the learned Counsel appearing for the parties, this criminal revision petition is disposed of by directing the petitioner to file an undertaking before the Trial Court to the effect that he will pay the interim monthly maintenance allowance to the respondent directly or transfer the said amount to the bank account of the respondent within the first 15 days of the month to which such payment relates. In the event the petitioner files such undertaking, the learned Trial Court shall modify the order dated 14.10.2024 to the extent it relates to the direction to the disbursing authority of the office of the Department of Health and Family Welfare, Government of Meghalaya for deduction of the amount of monthly maintenance allowance from the salary of the petitioner.

It is made clear that this order shall remain in force till any fresh order with regard to the payment of maintenance allowance, either interim or otherwise, is passed by the Trial Court.

With the above, this criminal revision petition stands disposed of.

Judge

Meghalaya
03.11.2025
"Biswarup PS"