

THE HIGH COURT OF TRIPURA
A G A R T A L A

Crl. Rev. P. No. 84 of 2013

Petitioner :

Sri Mridul Debnath,
S/o. Lt. Manindra Chandra Debnath,
Resident of Radha Nagar, P.O. Agartala, District:
West Tripura.

By Advocate :

Mr. T. D. Majumder, Adv.

Respondent :

Smt. Archana Debnath,
D/o. Shri Makhan Debnath,
W/o. Shri Mridul Debnath, Resident of Harina,
P.O.-Sabroom, District-South Tripura.

By Advocate :

Mr. Somik Deb, Adv.

B E F O R E
HON'BLE THE CHIEF JUSTICE MR. DEEPAK GUPTA

Date of hearing &
Judgment & Order : **8th September, 2015.**

Whether fit for reporting :

Yes	No
	✓

J U D G M E N T & O R D E R(oral)

This is a revision petition filed by the petitioner-husband whereby he has challenged the quantum of maintenance awarded in favour of the respondent-wife.

[2] The learned Magistrate has awarded Rs.5,000/- as maintenance but has clarified that this shall be inclusive of the alimony pendente lite of Rs.2,500/- granted to the respondent-wife.

[3] The husband on the direction of the Court has filed an affidavit and placed a certificate of his employer which shows that the husband is a contractual teacher and on 26.05.2014 his salary was Rs.9,000/- per month. If a person has been drawing Rs.9000/- per month he cannot expect to pay Rs.5000/- per month as maintenance, therefore, I feel that the appropriate amount would be Rs.3500/- per month which amount is already been paid to the respondent-wife as per interim order dated 29.08.2013 passed in Crl. M. Appl. No. 177 of 2013.

[4] In view of the above discussion, the revision petition is partly allowed and the maintenance is reduced from Rs.5,000/- to Rs.3,500/- per month. It is made clear that this maintenance shall be inclusive of any other maintenance/alimony, if any, granted in favour of the respondent-wife.

[5] There is some dispute with regard to the regular payment of the monthly maintenance. It is, therefore, directed that:

(i) Sri Somik Deb, learned counsel for the respondent-wife shall obtain Bank Account details of the wife and handed over to Sri T. D. Majumder learned counsel for the petitioner-husband within a period of 15(fifteen) days from today.

(ii) On and with effect from October, 2015 the petitioner-husband shall pay maintenance @ Rs.3,500/- per month to the respondent-wife by depositing it in her Bank Account by means of direct transfer on or before the 15th day of each month. It is however, made clear that if in any month there is default and the petitioner-husband does not deposit the maintenance by the 15th

day of the month he shall be required to deposit Rs.3800/- for that month.

- [6]** The petition is disposed of in the aforesaid terms.
Send down the LCRs forthwith.

CHIEF JUSTICE