

THE HIGH COURT OF TRIPURA
AGARTALA

CRL.REV.P. 81 OF 2011

Dr. Mridul Das,
S/O. Late Manmohan Das,
Medical Officer,
A resident of Quarters No.J/101,
Housing Board Complex,
79 Tilla, P.O. Kunjaban, P.S. East Agartala,
District-West Tripura.

..... **Petitioner.**

- V e r s u s -

1. Smt. Surjatapa Baisnab (Das),
W/O. Dr. Mridul Das,
2. Kumari Maghrajni Das (Minor),
D/O. Dr. Mridul Das,
3. Master Sourya Das (Minor),
S/O. Dr. Mridul Das,

The respondent Nos.2 and 3 being minor are represented
by their mother the respondent No.1

All are presently residing at C.R. Road, P.O.
Radhakishorepur, Udaipur, P.S. Radha Kishorepur,
District-South Tripura.

..... **Respondents.**

BEFORE
HON'BLE THE CHIEF JUSTICE MR. DEEPAK GUPTA

For the petitioner	: Mr. S.M. Chakraborty, Sr. Advocate, Ms. B. Chakraborty, Advocate.
For the respondents	: Mr. S. Lodh, Advocate.
Date of hearing and order	: 01.12.2015.
Whether fit for reporting	: NO.

ORDER

This criminal revision is directed against the order
dated 13.9.2011 passed by the learned Judge, Family Court,
Udaipur, South Tripura in case No.Crl.Misc./FC/UDP/50/2010
whereby he has awarded maintenance of Rs.12,000/- per month to

the wife, Rs.10,000/- per month for her daughter and Rs.6,000/- per month for her son.

2. It would be pertinent to mention that after the petition was admitted, a stay order was granted whereby the impugned order was sustained subject to the husband paying Rs.20,000/- per month in all for the maintenance of the wife and her two children. It is not disputed that this order has been complied with. The parties have also arrived at a settlement, the terms of which read as follows:-

“(i) The petitioner No.1 does not want to proceed with the criminal case bearing No.PRC 605 of 2010, pending before the Ld. Judicial Magistrate First Class, Agartala, West Tripura, Court No.4, against the petitioner No.2;

(ii) For maintaining the family expenditure and educational expenses of children, the petitioner No.2 would pay Rs.20,000/- per month to the petitioner No.1, and if in future, any further amount is required, the petitioner No.2 would provide the same; and due this settlement, the petitioner No.1 would not press the Order dated 13.09.2011, passed by the Ld. Judge, Family Court, Udaipur, South Tripura, in Cr.Misc/ FC/ UDP/ 50/ 2010, and accordingly, as per joint prayer, Crl.Rev.P. 81 of 2011 (arising out of Cr.Misc/FC/UDP/50/2010), pending before this Hon’ble Court, would be withdrawn.

(iii) The petitioner No.2 does not want to proceed with the T.S.(RCR) 345 of 2013, pending before the Ld. Judge, Family Court, Agartala, West Tripura, and accordingly, on 10.08.2015, both the

parties jointly had filed an application to withdraw the same.

(iv). Both the parties would respect each other, and would do the needful for the betterment of their children, and in future they would reside together.”

In view of this settlement, the parties submit that the criminal revision petition be also disposed of.

3. In view of the settlement arrived at between the parties, the order passed by the learned Family Court in case No.C.R.Misc.FC/UDP/50/2010 is modified and the maintenance amount is fixed at Rs.20,000/- per month which will include maintenance to the wife and the two children, as agreed. In case, the husband and wife start living together, then the parties shall be at liberty to move this Court for modification of this order also.

4. The revision petition is disposed of accordingly.

5. Send down the lower court records forthwith.

CHIEF JUSTICE