

16.04.2021
Court No.19
Item No.27
SB

C.O. 235 of 2017

Smt. Soumita Banerjee (Ganguly)

Vs

Sri Tanmay Ganguly

(Through Video Conference)

Mr. Amitava Mukherjee.... For the petitioner

Mr. Asimes Goswami.... For the Opposite Party

This revisional application arises out of an order dated 16.11.2016 passed by the learned Additional District Judge, XIth Court Alipore in Misc. Case No. 11 of 2016 arising out of Mat Suit No. 99/2015.

The petitioner / mother is aggrieved by the order impugned only to the extent that the maintenance for the child @Rs. 6,000/- per month has been directed to be paid from the date of the order instead of the date of the application.

Mr. Goswami learned advocate appearing on behalf of the father / opposite party.

Having considered the submissions on behalf of the petitioner / mother and also applying the judicial decisions in this regard, it is well settled that maintenance should be paid from the date of application and not from the date of the order.

Under such circumstances, the order impugned is modified to the extent that the daughter shall be entitled to the payment of Rs.6,000/- per month from the opposite party / father from the date of application i.e. March 8, 2016. The payment

shall be made as per the direction of the learned Court below within seventh of every month. The arrears of maintenance for the period from March 2016 to October 2016 shall be paid in eight equal monthly instalments to be paid month by month along with the current amount.

Mr. Goswami submits that the opposite party is being denied visitation. Mr. Mukherjee, submits that his client is ready and willing to comply with the previous order of the Court with regard to visitation and denies the allegation.

The revisional application is disposed of.

Urgent photostat certified copy of this order, if applied for, be given to the parties as expeditiously as possible subject to compliance of all usual formalities.

(Shampa Sarkar, J.)