

D/L.18
July 13,
2021

C.R.R. No.120 of 2013

Bpg.

In Re : An application under Section 482 of the Code of Criminal Procedure, 1973;

In the matter of : Sri Bhadra Ghosh alias Kajol Ghosh. ...petitioner.

The present revisional application was preferred for quashing of the proceedings relating to M. Case No.837 of 2010 pending before the learned Judicial Magistrate, First Court, Barrackpore, 24-Parganas (North) under Section 125 of the Code of Criminal Procedure.

Records reflect that a Co-ordinate Bench of this Court by an order dated January 16, 2013 was pleased to modify the award of maintenance from Rs.5,000/- per month to Rs.2,000/- per month and the said interim order was still 28th February, 2013. The said interim order was extended till 18th March, 2013 and 23rd April, 2013, but thereafter the interim order was never extended.

I find that the revisional application is pending before this Court for more than eight years and no information has been furnished regarding the status of the proceedings pending before the learned Judicial Magistrate, First Court, Barrackpore. As no information is furnished before this Court and the matter relates to maintenance proceedings, I am of the view that further pendency of the revisional application is being unwarranted.

Learned Magistrate will be at liberty to consider the award of maintenance, if the proceedings are pending, having

regard to the fact that the husband happens to be a retired employee.

For the present, no interference is called for.

As such, CRR 120 of 2013 is dismissed.

Pending applications, if any, are hereby disposed of.

Interim order, if any, is hereby vacated.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Tirthankar Ghosh, J.)