

08.07.2021
AJ, Ct.34
Sl No. 06.

C.R.R. 336 of 2012
(Via Video Conference)

In Re: An application under Section 401 of the Code of Criminal Procedure, read with Section 482 of the Criminal Procedure Code.

And

In Re : **Syed Md. Fahimuddin.** petitioner.

The present revisional application has been preferred against the order dated 30.11.2001 passed by the learned Additional Chief Judicial Magistrate, Sealdah, South 24 Parganas in M. Case No: 26 of 2011. The impugned order reflects that the learned Magistrate after taken into consideration the prima facie materials adduced by the wife was pleased to award interim maintenance of Rs.1,500/- per month to the wife and Rs.1,000/- per month to the minor son.

Having regard to the fact that during the pendency of the final disposal of the application the learned Magistrate by way of interim measure was inclined to award an interim maintenance, I hold that there is no scope for interference after nine years with the revisional application which was preferred before this Court.

Accordingly, C.R.R. 336 of 2012 is dismissed.

All pending applications, if any, are disposed of.

Interim order, if any, is hereby vacated.

The learned Magistrate is directed to intimate the wife regarding the arrears and the same should be considered after a proper application is placed before the learned Court below.

The Department is directed to communicate this order to the learned Court below within seven days from date.

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

(Tirthankar Ghosh, J.)