

06.08.2021
Item no.47
Ct. No.34
CHC

C.R.R. No.484 of 2020

(Via Video Conference)

In Re: An application under Section 401 read with Section 482 of the Code of Criminal Procedure, 1973.

AND

In the matter of:-

Ramkrishna Mudi

... petitioner

Mr. Sk. Aptabuddin

....for the petitioner

Learned advocate for the petitioner submits that the quantum of maintenance so awarded by the learned Magistrate was excessive.

It has further been submitted that in the meantime, the opposite party no.1 has expired and opposite party no.2 has already married.

This Court while exercising its jurisdiction is restricted to the materials evidence, which have been placed before the learned court below. If there have been change of circumstances, the same must be brought to the notice of the learned Magistrate by invoking appropriate statutory provisions.

Having regard to the nature of contentions advanced before this Court, I am of the view that no interference is called for by this Court so far as the order dated 30.11.2019, passed by the learned Judicial Magistrate, Khatra, Bankura is concerned.

If there are change of circumstances and if so advised the petitioner will be at liberty to take up such points by way of invoking appropriate provisions of law.

With the aforesaid observations, the revisional application being C.R.R.484 of 2020 is disposed of.

Pending application, if any, is consequently disposed of.

Interim order, if any, is hereby vacated.

All parties shall act in terms of copy of this order downloaded from the official website of this Court.

(Tirthankar Ghosh, J.)