

13.07.2021
AJ, Ct.34
Sl No. 19.

C.R.R. 183 of 2013

(Via Video Conference)

Re: An application under Sections 397/401 read with
Section 482 of the Code of Criminal Procedure, 1973.

And

In Re : **Samar Mondal.** petitioner.

The genesis of the revisional application relates to an order dated 24th February, 2011 passed by the learned Judicial Magistrate, 2nd Court, Suri, Birbhum in Misc. Case No. 162 of 2008. The learned Magistrate on appreciation of evidence of both the parties was pleased to award maintenance of Rs.1,200/- per month to the opposite party/wife from the date of the application.

Being aggrieved by such order, the present petitioner approached the revisional Court being learned Sessions Judge, Birbhum in Criminal Revision No. 53 of 2011. The learned Sessions Judge by a judgement dated 12th October, 2012 was pleased to dismiss the said revisional application thereby affirming the order passed by the learned Judicial Magistrate.

I have perused the contentions advanced by the petitioner and I find that the quantum of maintenance of Rs.1,200/- per month is itself insufficient to bear the regular expenses. I am of the view that the same does not call for interference.

Accordingly, C.R.R. 183 of 2013 is dismissed.

All pending applications, if any, are disposed of.

Interim order, if any, is hereby vacated.

The opposite party/wife will be at liberty to realise the arrears by taking out appropriate applications before the learned Magistrate.

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

(Tirthankar Ghosh, J.)