

23.07.2021

Item no.11

Ct. No.34

CHC

C.R.R. No.544 of 2011

(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:-

Nandita Ghosh

... petitioner

The present revisional application has been preferred against the orders dated 22.12.2010 and 07.01.2011, passed by the learned Judicial Magistrate, 1st Class, 5th Court, Asansol, in Misc.Case No.342 of 2009, wherein the learned Magistrate was pleased to award Rs.1000/- per month to the wife and Rs.800/- per month to the minor son by way of interim maintenance.

The grievance of the present petitioner who is the wife is in respect of the litigation cost being reduced by the learned Magistrate.

As the subject-matter of challenge relates to interim maintenance passed by the learned Magistrate during the pendency of final disposal of the application under Section 125 of the Code of Criminal Procedure, I am of the view that at this belated stage after 10 years, it would not be prudent to interfere with the order so passed.

Accordingly, C.R.R.544 of 2011 is dismissed.

Pending application, if any, is 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.)