

Sr. 22
14-07-2021
Subha.
Court no. 34

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION
APPELLATE SIDE
(Via Video Conference)**

CRR 513 of 2012

In Re : **Andry Philip alias Andre Philip**Petitioner.

In the matter of : An application under Section 401 of the Code of Criminal Procedure.

This revisional application has been preferred against the order dated 24th January, 2012 passed by the learned Judicial Magistrate, 1st Court, Alipurduar, Jalpaiguri in connection with Case No. M. R. 127 of 2011 corresponding to T. R. 1197 of 2011.

The order reflects that as an interim measure during the pendency of the proceedings under Section 125 of the Criminal Procedure, an award of Rs.10,000/- was passed. At the time of admission of the revisional application a co-ordinate Bench of this court by an order dated 6th March, 2012 was pleased to direct the present petitioner to pay Rs.7,000/- per month to his wife as monthly maintenance, in default of payment the stay order directed to be vacated automatically.

Having regard to the fact that the said order was passed in the year 2012, I am of the view that the quantum of maintenance of Rs.7000/- as directed by the co-ordinate Bench of this court is justified for the purposes of interim maintenance.

To that extent, the order dated 24th January, 2012 passed by the Judicial Magistrate, 1st Court, Alipurduar is modified and the present revisional application being CRR 513 of 2012 is partly allowed.

All pending applications, if any, are consequently disposed of.

All parties are to act on the server copy of this order duly downloaded from the official website of this court.

(Tirthankar Ghosh, J.)