

13.08.2021
Item no.13
Ct. No.34
CHC

C.R.R. No.633 of 2012

(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:-

Rafiqul Mia

... petitioner

The present revisional application was preferred challenging the judgement and order dated 09.01.2012 passed by learned Additional Sessions Judge, 2nd Fast Track Court, Sadar, Cooch Behar, in Criminal Revision No. 28 of 2011.

The subject-matter of the revisional application related to the order of maintenance dated 09.06.2011, passed by the learned Additional Chief Judicial Magistrate, Dinhata, Cooch Behar, in connection with Misc.Case No.131 of 2009.

Learned trial court on an appreciation of the evidence appearing in course of the proceedings and on appreciation of the totality of the circumstances was pleased to award maintenance of Rs.1000/- per month to the wife. The petitioner approached the learned sessions court being aggrieved regarding quantum and other ancillary issues. On an appreciation of the materials which was considered by the learned Magistrate, learned sessions court

arrived at a finding that there was no illegality in the award so passed by the learned Magistrate.

Having regard to the reasons so assigned by the learned sessions court while passing the said order in its revisional jurisdiction, I think there is no scope for interference.

Accordingly, the revisional application being C.R.R.633 of 2012 is dismissed.

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.)