

Sr. 09
08-07-2021
Subha.
Court no. 34

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

CRR 849 of 2012

In Re : **Gouranga Sil @ Shil.**

.....Petitioner.

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

The present revisional application has been preferred against the order dated 21.11.2011 passed by the learned Judicial Magistrate, Kalyani, Nadia in connection with Miscellaneous Case No. 46 of 2011.

I have perused the order passed by the learned Magistrate and I find that after recording his subjective satisfaction, the learned Magistrate awarded interim maintenance to the tune of Rs.1500/- per month to the opposite party/wife.

This revisional application was preferred on 17th April, 2012 when a co-ordinate Bench of this Court was pleased to pass an interim order of Rs.1000/- per month to be paid as monthly maintenance, in default of such payment there was a direction to vacate the interim order so passed.

Today, when the matter has been taken out, none appeared to apprise this court regarding the compliance of the said order dated 17th April, 2012.

Having regard to the quantum of amount of Rs.1500/- only which was awarded by way of an interim measure by the learned Judicial Magistrate, Kalyani, Nadia during the pendency of the proceedings under Section 125 of the Code of Criminal Procedure, I am of the view that no interference is called for by this Court.

Accordingly, the present revisional application being CRR 849 of 2012 is dismissed.

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

Interim order so passed, if any, is hereby vacated.

The opposite party/wife will be entitled to recover the arrears by taking up appropriate application before the court the learned Judicial Magistrate, Kalyani, Nadia.

Department is directed to communicate this order to the learned Magistrate within a period of seven days from date.

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

(Tirthankar Ghosh, J.)