

Sr. 27
15-07-2021
Subha.
Court no. 34

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

CRR 1003 of 2012

In Re : **Smt. Amrita Pal**

.....Petitioner.

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

The present revisional application has been preferred at the instance of the petitioner/wife being aggrieved by the quantum of interim maintenance of Rs.1500/- per month in connection with an order passed by the learned Chief Judicial Magistrate, Howrah in Misc. Case No. 444 of 2010 under Section 125 of the Code of Criminal Procedure.

I find from the said order that the case was fixed on 15th March, 2011 for evidence.

The grievance of the petitioner was that although the opposite party/husband was earning more than Rs.20,000/- per month, the learned Magistrate awarded a sum of Rs.1500/- per month by way of interim maintenance. As the said order was passed by way of interim measure during the pendency of the application under section 125 of the Code of

Criminal Procedure, I am of the view that after 10 years the same should not be interfered with. However, the petitioner will be at liberty to raise the issue of quantum of maintenance provided the proceedings are still pending before the learned Chief Judicial Magistrate, Howrah and the learned Chief Judicial Magistrate, Howrah in such case would not only consider the financial status of the husband but also take into account the cost of the expenditure required for an individual to survive in consonance with the status she had enjoyed.

With the aforesaid observations, the present revisional application being CRR 1003 of 2012 is disposed of.

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.)