

Sr. 46
15-07-2021
Subha.
Court no. 34

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

CRR 1283 of 2012

In Re : **Uttam Mahato**

.....Petitioner.

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

The subject-matter of grievance relates to the order dated February 29, 2012 passed by the learned Additional Sessions Judge, 1st Court, Purulia in connection with Miscellaneous Criminal Appeal No. 4 of 2011 wherein the learned Sessions Court was pleased to modify the order of the learned Judicial Magistrate, 4th Court, Purulia in Miscellaneous Case No. 123 of 2009(T. R. No. 330 of 2009).

I find that the learned Sessions Court was aggrieved with the quantum of maintenance of Rs.3000/- per month so awarded to the wife and the child but disagreed with the learned Magistrate so far as the sum of Rs.1000/- was granted for residential accommodation.

In view of the orders so passed in the years 2012, I am of the view that no interference is called for at this belated

stage. However, if the opposite party/wife is able to take out an appropriate application in the changed circumstances, the learned Magistrate will be at liberty to consider the same under the present circumstances whether such residential right as pleaded is required or not and accordingly, award the cost involved in alternate accommodation.

With the aforesaid observations, the present revisional application being CRR 1283 of 2012 is disposed of.

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

Interim order, if any, is hereby vacated.

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

(Tirthankar Ghosh, J.)