

28.09.2021

Ct No. 34

SL. No...

Rakib (PA)

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

CRR 1403 of 2011

Moumitsa Das (Dutta)
Versus
Prabir Das

In Re: An application under Section 401 of the Code of Criminal Procedure, 1973

The present revisional application has been preferred against the judgment and order dated 06.10.2010 passed by the learned Additional Chief Judicial Magistrate, Kalyani, District Nadia In Misc. Case 237 of 2006 under Section 125(1) of the Code of Criminal Procedure, 1973.

Records reflected that the learned Magistrate by the said order was pleased to allow the application under Section 125 of the Code of Criminal Procedure and directed that the opposite party /husband should pay a sum of Rs.1000/- per month to the wife and Rs.1000/- per month to the minor daughter, aggregating to a sum of Rs.2000/- per month.

Having regard to the fact that the said award was passed in the year 2010, I am of the view that the sum is of very meagre amount and if any interference is made the same may prejudice the opposite party. However, the learned ACJM, Kalyani is directed to change the quantum of maintenance if an appropriate application is preferred by the petitioner keeping in mind the present cost of living required for an individual to survive.

With the aforesaid observation CRR 1403 of 2011 is disposed of.

Pending application, if any, is consequently disposed of.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Tirthankar Ghosh, J.)