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September
8, 2021
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C.R.R. No.1856 of 2012
(Via Video Conference)

In Re: An application under Section 397 of the Code of Criminal Procedure.

Smt. Smriti Ghosh
Versus
Sri Rabindra Nath Ghosh

The subject matter of the revisional application involves the order dated 24.08.2011 passed by the learned Judicial Magistrate, 2nd Court, Alipore in connection with M. Case No.42 of 2003.

The perusal of the said order reflects that the learned Magistrate while considering the application under Section 127 of the Code of Criminal Procedure took into account the salary which was being earned by the husband/opposite party and thereafter directed the husband to pay a sum of Rs.4,000/- and Rs.6,000/- per month respectively to the wife/petitioner as also to her daughter.

Having regard to the materials, which have been relied upon by the learned Magistrate while arriving at the findings, I am of the view that no interference is called for at this stage.

Accordingly, CRR 1856 of 2012 is dismissed.

Pending application, if any, is consequently disposed of.

Interim order, if any, is hereby vacated.

However, the petitioner would be at liberty to take out an

appropriate application considering the fact that today we are in the year 2021 and bring to the notice of the court the relevant change of circumstances which the learned Magistrate on consideration would be entitled to pass fresh order.

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

(Tirthankar Ghosh, J.)