

S/L 10.09.2021
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**C.R.R. 1734 of 2021
(Via Video Conference)**

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In re: An application under Section 397 read with Section 401 of Criminal Procedure Code, 1973.

In the matter of: Swagato Biswas.

Mr. Sujit Bhattacharyya
Mr. Ushananda Jana

..for the petitioner.

It is the case of the petitioner that he is a retired official of Indian Railways and he superannuated from his service from August 31, 2019. He is now getting a net pension of Rs. 32,029/- per month. In view of his retirement, he filed an application being Misc. Case No. 1 of 2020 for reducing the maintenance of Rs. 23,000/- per month which was directed to be paid by him to the opposite party no. 2 by the learned Judicial Magistrate, 5th Court, Srirampur, Hooghly in Misc. Case No. 03 of 2017.

Though no copy of the orders passed in the said Misc. Case No. 1 of 2020 has been annexed to this petition, it has been submitted by the learned advocate for the petitioner that the next date for hearing of the said Misc. case has been fixed in the month of November, 2021.

The reduction of the income of the petitioner due to his retirement is an important factor to be considered in fixing the quantum of maintenance.

Thus, this application is disposed of with a direction upon the learned Magistrate in the Court below to dispose of

the said Misc. Case being No. 1 of 2020 within a period of six months from date.

Since the opposite party no. 2 will not be prejudiced by this order, the revisional application is disposed of without any notice to her.

The revisional application being CRR No. **1734 of 2021** is disposed of.

(Kausik Chanda, J.)

