

24.06.2021
Item no.19
Ct. No.34
CHC

C.R.R. No.1908 of 2015
(Through video Conference)

In Re: An application under Sections 401 and 482 of the Criminal Procedure Code.

AND

In the matter of:-

Panchanan Pal

... petitioner

Mr. Satadru Lahiri

...for the petitioner

The present revisional application was preferred challenging the order of appeal wherein the learned Appellate Court being the learned Sessions Judge, Howrah, was pleased to affirm the order dated 26.09.2014 passed by the learned Judicial Magistrate, 2nd Court, Howrah in Misc.Case No.273 of 2013. By the said order, learned Magistrate was pleased to award interim maintenance of Rs.5,000/- to each of the two minor children and Rs.3000/- to the wife being a total sum of Rs.13,000/-.

As the said order was passed on 26th of September, 2014, by way of an interim measure during the pendency of the final disposal of the application under Section 125 of the Code of Criminal Procedure, I do not find that the same requires any interference, further the records of the revisional application reflect that although opportunity was afforded to the petitioner

but there was noncompliance as such interim order was earlier vacated.

I have perused the appellate court's affirming order and the order passed by the learned Magistrate and I also find that there is no illegality in the reasoning of the learned appellate court while arriving at its conclusion regarding the quantum of maintenance.

As such the revisional application being C.R.R.1908 of 2015 is dismissed. All connected applications are disposed of. Interim order, if any, is hereby vacated.

Learned Magistrate is directed to dispose of the proceedings if the same has not already been concluded in the meantime.

All parties shall act in terms of copy of this order downloaded from the official website of this Court.

(Tirthankar Ghosh, J.)