

19.07.2021
Item no.25
Ct. No.34
CHC

C.R.R. No.1677 of 2013

(Via Video Conference)

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

AND

In the matter of:-

Tarun Kanti Maity

... petitioner

The present revisional application has been preferred against the judgement and order dated 21.03.2013, passed by learned Judicial Magistrate, 1st Class, 2nd Court, Contai, Purba Medinipur, in connection with Misc.Case No.32 of 2012, wherein, learned court was pleased to award by way of interim maintenance of Rs.4000/- per month to the wife and Rs.2000/- per month to the minor daughter.

At the time of admission of the revisional application, a coordinate Bench of this Court by order dated 06.08.2013 was pleased to direct the present petitioner to pay a consolidated sum of Rs.5000/- for the maintenance of the wife and the child with the liberty to continue with the main proceedings under Section 125 of the Code of Criminal Procedure.

Further, by the said order, it was directed that any disobedience of the order would automatically vacate the order so

far as the direction of the maintenance of the amount is concerned.

Today when the matter has been called, none appeared on behalf of the petitioner to apprise this Court regarding the outcome of the proceeding and whether there has been compliance of the order dated 06.08.2013.

Having regard to the fact that the order so passed by the learned Judicial Magistrate on 21.03.2013 was by way of interim measure during the pendency of the final disposal of the revisional application under Section 125 of the Code of Criminal Procedure, I am of the view that same do not call for any interference. As such, the revisional application being C.R.R.1677 of 2013 is dismissed.

Pending application, if any, is consequently disposed of.

Interim order, if any, is hereby vacated.

The wife/opposite party will be at liberty to recover arrears by taking out an appropriate application before the learned Judicial Magistrate.

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

(Tirthankar Ghosh, J.)