

14.09.2021
item No.35
n.b.
ct. no. 34

CRR 2452 of 2012
(via video conference)

Abul Sk.
-Vs-
The State of W. B. & Anr.

The revisional application was preferred challenging the order dated 31.3.2011 passed by the Learned Additional District and Sessions Judge, Kandi, Murshidabad, wherein learned Sessions Court was pleased to set aside the order dated 31.3.2011 passed by the Learnd Magistrate, Kandi in T.R. No.949 of 2006 in connection with Section 125 of the Code of Criminal Procedure.

The petitioner approached this court being aggrieved by the order passed by the learned Sessions Judge wherein the learned Sessions court in its revisional jurisdiction has set aside the order of the learned Magistrate refusing to grant any maintenance.

Records of the revisional application reflect that by an order dated 23.8.2012, the Coordinate Bench of this court directed the applicant/petitioner to go on paying of Rs.2,000/- per month to the opposite party no.2 till the final order is arrived at by the learned Magistrate (which was because of the order passed by the Learned court).

Having regard to the aforesaid circumstances, I am of the view that the interim order which was passed on 23.8.2012 should be made absolute.

The revisional application is dismissed.

All pending connected applications, if any, are consequently disposed of.

The learned Magistrate is directed to give effect to the order dated 23.8.2012 in case any final order till date has not been

passed by the learned Magistrate pursuant to the order of the revisional court in Criminal motion No.40 of 2012.

The Department is directed to communicated this order to the learned court below.

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

(Tirthankar Ghosh, J.)