

D/L.19
July 15,
2021

C.R.R. No.2644 of 2012

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In Re : An application under Section 401 read with Section 482 of the Code of Criminal Procedure;

In the matter of : Sri Ujjal Binode Thakur. ...petitioner.

The present revisional application was preferred against the order dated 28.06.2012 passed by the learned Judicial Magistrate, 3rd Court at Barrackpore in connection with Case No.M-353 of 2010.

When the revisional application earlier appeared on 08.10.2012, a co-ordinate Bench of this Court was pleased to direct the petitioner to pay a consolidated sum of Rs.6,000/- per month to the opposite party no.2 and directed that the interim order would continue for three weeks after the Puja Vacation in the said year.

Today when the matter has been taken up, none appeared on behalf of the petitioner.

I find from the order so passed by the learned Magistrate that after assessing the evidence, the learned Magistrate allowed the application under Section 125 of the Code of Criminal Procedure and awarded maintenance of Rs.3,000/- per month to the wife and Rs.2,400/- to each of two minor sons to be paid every month till they attain majority.

Having regard to the quantum of maintenance so allowed after assessing the evidence which included financial status of the parties and the cost of expenditure which is required for survival of an individual, I am of the view that no interference is called for.

Accordingly, CRR 2644 of 2012 is dismissed.

Pending application, if any, is consequently disposed of.

Interim order, if any, is hereby vacated.

The petitioner will be at liberty to recover the arrears by taking out appropriate application before the learned Magistrate.

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

(Tirthankar Ghosh, J.)