

19.07.2021
Item no.27
Ct. No.34
CHC

C.R.R. No.2338 of 2013
IA NO: CRAN/1/2013 (Old No: CRAN/2370/2013)
(not in file)

(Via Video Conference)

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

AND

In the matter of:-

Chaitali Das

... petitioner

The subject-matter of the grievance in the present revisional application is that by a judgement and order dated 25.03.2013, the learned Magistrate, 2nd Court, Chandernagore, in Misc. Case No.82 of 2006 was pleased to award Rs.2000/- per month to the wife and Rs.3000/- per month to the minor son in an application under Section 125 of the Code of Criminal Procedure.

The reasons so assigned by the learned Magistrate for arriving at a conclusion for awarding maintenance is in consonance with the materials placed before the learned Magistrate. However, the quantum of maintenance is Rs.2000/- per month for the wife and Rs.3000/- per month for the son was not in consonance with the expenditure required for the wife/petitioner.

The wife/petitioner as such has approached this Court for reconsideration of the quantum of award of maintenance.

Having regard to the period which has elapsed in the meantime, I am of the view that structure of expenditure in the last eight years have changed and if an application for enhancement of maintenance is taken out by the wife/petitioner before the learned Magistrate, the learned Magistrate would be at liberty to consider the changed circumstances and arrive at its own conclusion.

With the aforesaid observations, C.R.R.2338 of 2013 is disposed of.

Pending application, if any, is consequently disposed of.

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

(Tirthankar Ghosh, J.)