

D/L 35
September
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C.R.R. No.2976 of 2012
(Via Video Conference)

In Re: An application under Article 227 of the Constitution of India.

Md. Nizamuddin
Versus
Anwari Khatoon & Ors.

The revisional application has been preferred against the judgment and order dated July 3, 2012 passed by the learned Additional District and Sessions Judge, 5th Court, Howrah wherein the appellate court was pleased to dismiss the appeal and affirmed the order dated 18.05.2011 passed by the learned Judicial Magistrate, 7th Court, in Misc. Case No.261 of 2010.

Records of this revisional application reflects that the learned Magistrate was pleased to award interim maintenance under Section 20 of the Protection of Women from Domestic Violence Act, 2005 Act to the tune of Rs.3,000/- per month to the petitioner/wife and her minor daughter aggregating a sum of Rs.6,000/- per month.

The learned appellate court on an appreciation of the materials was pleased to affirm the said order.

I have perused the prima facie materials considered by the learned Magistrate as well as the learned Sessions Court and I do not find any illegality in the said order. As such, no interference is called for.

Accordingly, CRR 2976 of 2012 is dismissed.

Pending application, if any, is consequently disposed of.

Interim order, if any, is hereby vacated.

The opposite party/wife as also the minor daughter would be at liberty to recover the arrears by taking out an 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.)