

Court No.
35
Item no.
63
ssi

C.R.R. 3233 of 2019

In the matter of:- **Asgar Ali Mallick**

23.12.
2021

Ms. Sayanti Santra

...for the petitioner

The matter is listed today as a motion.

The petitioner/husband has come before this Court challenging the order dated 03.09.2019 passed by learned Additional Sessions Judge, Fast Track-1st Court, Sealdah, South 24 Parganas in Criminal Revision No. 16 of 2019 whereby the order dated 05.01.2019 passed by learned Judicial Magistrate, 3rd Court, Sealdah, South 24 Parganas in Maintenance Case No. 75/17 was set aside and the opposite party/husband, herein the petitioner was directed to pay maintenance of Rs. 5,000/- per month from the date of filing of the application under Section 125 of the Code of Criminal Procedure.

Learned advocate for the petitioner prays for admitting the revision filed by the petitioner against his wife on the ground that maintenance amount of Rs. 5,000/- per month is excessive and that there was a prior settlement between the parties where an amount was agreed upon as full and final settlement towards maintenance of the petitioner and the child.

Considered the submission, it appears from the impugned judgment as well as the application filed by the

petitioner that the matter of settlement has been considered. The petitioner herein is an Advocate.

In my considering view, the money value of Rs. 5,000/- per month allowed as maintenance is considerably trivial and paltry sum for a decent maintenance, as such I find no prima facie case in favour of the petitioner to admit this revision. C.R.R. No. 3233 of 2019 is thus dismissed in limine.

(Ananda Kumar Mukherjee, J.)