

08.07.2021
Item no.21
Ct. No.34
CHC

C.R.R. No.2534 of 2014

(Via Video Conference)

In Re: An application under Section 482 read with Section 401 of the Code of Criminal Procedure, 1973.

AND

In the matter of:-

Firdousi Ali

... petitioner

No one appears for the parties.

The present revisional application has been preferred at the instance of the wife against the order of interim maintenance, wherein, learned Judicial Magistrate, 2nd Court, Bolpur, Birbhum, in Misc.Case No.68/2013 was pleased to award interim maintenance of Rs.150/- to the wife and Rs.100/- each to the minor children.

Having regard to the quantum of maintenance so awarded, I am of the view that there are sufficient grounds for interference in this revisional application and the only impediment is the passage of time, as the revisional application has been pending before this Court since the year 2014.

Having regard to the passage of time, I direct that in case the main proceedings being Misc.Case No.68/2013 has not been disposed of till date, the learned Magistrate should consider the

factum of enhancement of the maintenance, which was awarded. Needless to state that the subject-matter in the present revisional application only relates to interim maintenance.

Learned Magistrate is further directed that in case the quantum has been restricted to similar amount as was awarded at the time of interim maintenance, the learned Magistrate would issue notice upon the petitioner and thereafter, review the order keeping in mind the provisions of Section 125 of the Code of Criminal Procedure, as also the present cost of living.

With the aforesaid observations, C.R.R.2534 of 2014 is disposed of.

Department is directed to communicate this order to the learned court below within seven days from date.

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

(Tirthankar Ghosh, J.)