

15 (D/L)
23-06-2021
debajyoti

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION
(Appellate Side)**

(Via Video Conference)

CRR 3025 of 2014

**Partha Roy
Vs.
Anima Roy (Biswas)**

1. In spite of direction, none appeared for the High Court Legal Services Authority.

2. The revisional application was preferred against the order dated 30-06-2014 passed by the learned Judicial Magistrate, 3rd Court, Barrackpore, under Section 125 of the Code of Criminal Procedure in connection with M. Case No.507 of 2013. The petitioner being the husband was aggrieved by the order of interim maintenance so passed by the learned Magistrate.

3. I have perused the order passed by the learned Magistrate wherein the learned Magistrate by way of an interim measure during the pendency of the proceedings under Section 125 of the Code of Criminal Procedure was pleased to grant maintenance to the tune of Rs.1500/- per month to the wife and Rs.1500/- per month to the child to be paid within 25th of every succeeding English calendar month. I find that the said order was passed in June, 2014 and the initial order dated 16-09-2014 passed by this Court reflects that there was a direction upon the petitioner to pay a consolidated sum of Rs.2500/- per month.

4. Having regard to the present cost of living as also the minimum requirement for sustenance of an individual, I am of the view that the quantum of maintenance so granted

by way of an interim measure was not excessive at all and as such, does not call for interference by this Court.

5. Accordingly, CRR 3025 of 2014 is dismissed. Interim order, if any, is hereby vacated. All pending applications, if any, also stand disposed of.

6. If any appropriate application is taken out by the wife for recovery of the arrears, the learned Magistrate will be at liberty to consider the same in accordance with law.

7. All parties are to act on a server copy of this order duly downloaded from the official website of this Court.

(Tirthankar Ghosh, J.)