

16-07-2021
Item no.30
Subrata

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction

CRR No.3834 of 2012
Smt. Santa Das & Anr.
-vs-
Sanjib Das

None

...for the petitioners

The present revisional application has been preferred against a judgement and order dated August 13, 2012 passed by the learned Judicial Magistrate, 3rd Court, Serampore arising out of Misc. Case No.93 of 2000 wherein the learned Magistrate allowed an application under section 125 CrPC and awarded maintenance of Rs.1,500/- per month to the wife and Rs.1,000/- p.m. to the minor daughter – since she was minor then.

The present petitioners being the wife and the daughter have approached this court for enhancement of the quantum of maintenance so awarded by the learned Judicial Magistrate.

Records of the case reflect that the revisional application appeared on November 20, 2012 before a co-ordinate Bench of this court, but that thereafter there has been no pursuance.

Having regard to the fact that more than eight years have elapsed in the meantime and that there is no information before this court regarding the present stage of the proceedings whether subsequently any application for enhancement has been preferred before the learned Judicial Magistrate, I am of the view that this revisional application can be disposed of with a direction as follows.

The learned Judicial Magistrate shall consider the amount of maintenance required for an individual to survive keeping in mind the present cost of living, if no application till date has been taken

out by the wife or the daughter.

With the above observations, CRR No.3834 of 2012 stands disposed of.

All pending applications, if any, are consequently disposed of.

Interim order, if any, stands vacated.

All parties are to act on the website copy of this order downloaded from the official website of this court.

[Tirthankar Ghosh, J]