

Sr. 08
23-07-2021
Subha.
Court no. 34

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION
APPELLATE SIDE
(Via Video Conference)**

CRR 4147 of 2012

In Re : **Sanchita Roy(Chatterjee)**

.....Petitioner.

In the matter of : An application under Section 401 read with Sections 482 and 483 of the Code of Criminal Procedure.

The present revisional application has been preferred by the petitioner/wife being aggrieved by the quantum of maintenance awarded by the learned Judicial Magistrate, First Class, 1st Court, Alipore, South 24 Parganas in M-504 of 2010.

It is reflected from the order dated 23rd July, 2012 that the learned Magistrate was pleased to allow the interim maintenance thereby awarding Rs.800/- per month to the wife and Rs.700/- per month to the minor daughter.

At the time of admission of the present revisional application, the said amount was modified/enhanced by an order dated 19th December, 2012 passed by a Co-ordinate Bench of this Court to the tune of Rs.2000/- each per month

to be paid to the wife and the minor daughter aggregating to Rs.4000/- per month.

Having regard to the fact that the interim order dated 19th December, 2012 passed by a co-ordinate Bench of this Court is sufficient for modifying/enhancing the interim maintenance which was awarded by the learned Magistrate and directing the husband/opposite party no.2 to pay a sum of Rs.4000/- per month into total, I am of the view that the same should be made absolute.

Accordingly, the opposite party no. 2/husband is directed to pay Rs.2000/- per month to the petitioner/wife and Rs.2000/- per month to the minor daughter by way of interim maintenance.

However, this order will have no effect if in the meantime the learned Magistrate has disposed of the main application under Section 125 of the Code of Criminal Procedure and has decided the quantum as final determination of rights of the application under Section 125 of the Code of Criminal Procedure filed at the instance of the petitioner.

With the aforesaid direction, the present revisional application being CRR 4147 of 2012 is partly allowed.

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

The petitioner/wife will be at liberty to recover the arrears by taking out an appropriate application before the learned Magistrate.

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

(Tirthankar Ghosh, J.)