

14.09.2021

Item No.175

Ct.No.34

AD

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION**

CRR 1416 of 2020

(Via Video Conference)

**Sabina Yasmin Laskar
versus
Saiful Halder & Anr.**

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

Mr. Lakshmi Nath Bhattacharya
... for the petitioner.

Mr. Imran Ali
Ms. Debjani Sahu
... for the State.

Report of the Officer-in-Charge, Mathurapur Police Station has been submitted by Ms. Debjani Sahu, learned Advocate for the State. Report reflects an acknowledgment of opposite party no.1 along with date.

Report so submitted be kept with the record.

In spite of such service, none appears on behalf of the opposite party no.1.

The subject-matter of the revisional application relates to an order of interim maintenance passed by the learned Judicial Magistrate, 3rd Court, Diamond Harbour, South 24-Parganas in connection with Case No.M-471 of 2018.

The grievance of the present petitioner is regarding the quantum of interim maintenance so awarded by the learned Magistrate.

On assessment of the order, it appears that the learned Magistrate awarded Rs.900/- each to the present petitioner and to the two minor children aggregating to the sum of

Rs.2700/- per month. The amount so awarded is insufficient for three individuals to survive.

Having regard to the present cost of living and the preliminary evidence which has surfaced in the matter before the learned Magistrate, I am of the view that the opposite party/husband would pay a sum of Rs.2,000/- to each of them which would include Rs.2000/- to the wife and Rs.2,000/-each to the two minor children aggregating to a sum of Rs.6,000/- per month. Such amount should be paid from the date of filing of the application for interim maintenance.

However, the husband/opposite party will be at liberty to take out an appropriate application before the learned Magistrate if there are change of circumstances.

With the aforesaid observations, CRR 1416 of 2020 is allowed.

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

All parties shall act on the server copy of this order duly downloaded from the official *website* of this Court.

(Tirthankar Ghosh, J.)