

15.06.2022
S/L No.19
KS

C.R.R. 2 of 2021
With
IA No. CRAN 1 of 2021
Subhendu Mal
-Vs.-
The State of West Bengal & Anr.

On call none appears for the petitioner.

Petitioner has filed this revisional application under Section 482 of the Code of Criminal Procedure praying for quashing/setting aside of impugned order dated 11.03.2020 passed by Learned Judicial Magistrate, 3rd Court, Rampurhat, Birbhum in Misc. Case No.313 of 2019, whereby an interim maintenance of Rs.3,500/- per month was allowed in favour of the wife and Rs.2,000/- per month was allowed in favour of the minor daughter till disposal of the case.

Since filing of this case by the husband/petitioner no order of stay has been passed. The petitioner himself sought for accommodation to file a Supplementary Affidavit containing statement of his assets and liabilities within a fortnight. The petitioner has not complied the same and no notice has been served upon opposite party no.2.

In view of the facts and circumstances, I do not find any reason to keep this application pending. Perused the impugned order. The petitioner is a Group – D employee of Eastern Railway and leads a middle class livelihood. At the relevant point of time he had an income of

Rs.30,000/- per month. He did not maintain his wife and daughter who were unable to maintain themselves.

In view of such facts and circumstances, Learned Judicial Magistrate, 3rd Court, Rampurhat allowed an interim maintenance of Rs.3,500/- per month to the wife and Rs.2,000/- per month to the minor child.

In my considered view, the amount is not excessive. The impugned order suffers from no illegality or irregularity, as such, the revisional application is dismissed.

Let a copy of this order be communicated to the Learned Judicial Magistrate, 3rd Court, Rampurhat, Birbhum for information.

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

(Ananda Kumar Mukherjee, J.)