

25-08-2022
Subha
Item no.50

Ct no.34

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction

CRR 197 of 2010

Amal Kanti Pramanik
-versus-
Sri Nilanjan Pramanik & Anr.

Re : An application under Section 401 read with Section 482 of the Code of Criminal Procedure.

The revisional application was preferred in the year 2010 and the participation of the petitioner in this revisional application when the matter has been called is very irregular.

The subject matter of the case relates to order dated 26th November, 2009 passed in connection with Misc. Case No. 97 of 2004 wherein the learned Additional Chief Judicial Magistrate, Uluberia was pleased to allow the application under Section 125 of the Code of Criminal Procedure and directed the husband to pay a sum of Rs.5000/- to the wife and Rs.3000/- to the minor child till attaining the age of maturity. By the same order, the learned trial court was pleased to direct that the order would take effect from the date of filing of the application under Section 125 of the Code of Criminal Procedure.

Having regard to the quantum, which was allowed in the year 2009, I am of the opinion that there has been complete change in the cost index, as such so far as the quantum is concerned, there is no scope for interference. No special reasons have been assigned by the present petitioner for not implementing the order from the date of filing of the case. The only direction which can be passed is that if in the meantime, the minor has attained majority, the present petitioner would file an appropriate application before the learned Magistrate which may be considered in

accordance with law.

Having regard to the observations made above, I am of the opinion that there is no scope of interference by this court. Accordingly, the revisional application being CRR 197 of 2010 is dismissed.

Pending applications, if any, are consequently dispose of.

Interim order, if any, is hereby vacated.

All concerned parties are to act in terms of a copy of this order duly downloaded from the official website of this court.

[Tirthankar Ghosh, J]