

10.06.2022
S/L No.1
KS

C.R.R. 97 of 2015
Nurul Hudah Mondal
-Vs.-
Sahara Bibi

Mr. Debasis Kar
Mr. Husen Mustafi

.....For the Petitioner

Learned advocate for the revisionist/husband appears before the Court and submits that initially an order of maintenance was passed in favour of the petitioner/wife in M.R. Case No.206 (IV) of 2013 under Section 125 of the Code of Criminal procedure granting a monthly maintenance of Rs.2,500/- to the wife and Rs.2,000/- per month to the minor son, totaling to Rs.4,500/- per month.

The petitioner/wife preferred Criminal Motion No.78 of 2014 before the learned Sessions Judge, Nadia wherein by a judgment dated 21.11.2014 the maintenance was enhanced to Rs.7,000/- per month. Being aggrieved and dissatisfied with the judgment the O.P./husband preferred a revision under Section 401/482 of the Code of Criminal Procedure for setting aside of the impugned judgment dated 21.11.2014 passed by the Learned Sessions Judge in Criminal Motion No.78 of 2014.

Learned advocate submits that on the basis of the order passed by this Court on 06.07.2015 the revisionist is paying maintenance to the respondent/wife to the tune of Rs.4,500/-. Since a separate Misc. Case under

Section 127 of the Code of Criminal Procedure has been filed by the wife/petitioner bearing Misc. Case No.173 of 2019, the present application for revision has become infructuous and the same may be disposed of.

None appears for the opposite party despite service of notice.

Considered the submissions made by learned advocate for the petitioner.

The revisional application has no utility at this stage.

Accordingly, C.R.R. 97 of 2015 is disposed of without affecting the case on merits. Interim order dated 6.7.2015 stands vacated.

Learned Magistrate is directed to expedite the hearing in connection with Misc. Case No.173 of 2019 under Section 127 of the Code of Criminal Procedure preferably within a period of four months from the date of this order.

Let a copy of this order be sent to the Learned Sessions Judge, Nadia and also to Learned Judicial Magistrate, 3rd Court, Krishnanagar for information.

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

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Ananda Kumar Mukherjee, J.)