

D/L10
19.12.2022
Bpg.

C.R.R.430 of 2021

In Re: An application under Article 227 of the Constitution of India;

Syed Siraj Ali
Versus
Momtaz Chowdhury (Begam) and another

Ms. Manisha Sharma.
...for the State.

None appears on behalf of the petitioner.

The revisional application appeared on 19th February, 2021 when there was a direction by a co-ordinate Bench to serve a copy of the revisional application upon the opposite party no.1 by speed post with acknowledgement due and file an affidavit of service.

The subject matter of the revisional application relates to a judgment under Section 125 of the Code of Criminal Procedure wherein the learned Additional Chief Judicial Magistrate, Bolpur in Misc. Case No.108 of 2006 was pleased to award maintenance of Rs.800/- per month to the wife and Rs.400/- per month to the minor child, aggregating to a sum of Rs.1200/- per month.

Having regard to the quantum which was awarded by the learned ACJM, Bolpur, I am of the opinion that the amount is very minimum for a court to interfere. Further, the said judgment was passed in the year 2008 and the present petitioner filed an application dated 21.10.2019 before the learned ACJM, Bolpur. The learned ACJM, Bolpur after consideration of the submissions

was pleased to observe that in respect of a case which was disposed of in the year 2008, an application has been filed in the month of October, 2019, almost after 11 years.

Having regard to the emphasis laid by the learned ACJM, Bolpur in respect of 11 years after which such application was preferred by the present petitioner, dismissing the said application dated 21st October, 2019, I find that there is no illegality in the said order.

Accordingly, the revisional application being CRR 430 of 2021 is dismissed.

Pending application, if any, is consequently disposed of.

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

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Tirthankar Ghosh, J.)