

28.9.2022
S.D.
13.

C.R.R. 1261 of 2022

**Sri Avishek Halder
Vs.
Smt. Riya Halder Mandol & Anr.**

Mr. Aviroop Bhattacharya

...For the petitioner.

Affidavit of service filed in Court be kept with the record.

By filing the instant revision, the petitioner being the husband of opposite party has challenged legality, validity and propriety of an order dated 15.12.2021 passed by the learned Judicial Magistrate, Kalyani in Misc. Case No. 165 of 2021 granting interim maintenance in favour of the opposite party @ Rs.4,000/- per month for her and Rs.4,000/- for the minor child of the parties, total being Rs.8,000/- per month.

The petitioner/husband has admitted that he earns Rs.25,000/- per month. At the interim stage on the basis of the affidavit filed by the opposite party, the learned Magistrate passed interim relief. I do not find any reason to interfere with the above order.

It is submitted by learned advocate for the petitioner that the petitioner is willing to stay together with his wife and child.

The matter shall be considered by the learned Magistrate at the time of final disposal of the petition under Section 125 of the Cr.P.C.

Considering such aspect of the matter, I do not find any reason to interfere with the impugned order. Accordingly, the instant revision is dismissed.

However, considering the fact that the petitioner has already file written objection, the learned Magistrate is requested to dispose of the case under Section 125 of the Cr.P.C. expeditiously and preferably within six months from the date of communication of this order.

(Bibek Chaudhuri, J.)