

05.04.2022

Sl. No. 47

Srimanta

Ct.No.42

CRR/914/2005

(Via Video Conference)

In Re : An application under Section **401** read with Section **482** of the Code of Criminal Procedure, 1973.

In the matter of : **Sadhan Mukherjee.**

None appears on behalf of the petitioner.

This is an application under Section 401 read with Section 482 of the Code of Criminal Procedure filed by one Sadhan Mukherjee praying for setting aside of an order dated 16th February, 2005 passed by the Learned Chief Judicial Magistrate, Bankura in Misc. Case No. 62/2003 under Section 125 of the Code of Criminal Procedure.

Upon contested hearing on careful appreciation of evidence-on-record the Learned Chief Judicial Magistrate passed the order impugned directing the petitioner to pay a sum of Rs.1,000/- only per month towards maintenance allowance to the opposite party no. 1. Against the said order the husband/petitioner has filed the instant application and obtained an interim order of stay on condition that petitioner shall go on making payment of Rs.800/- per month to the opposite party No. 1/wife till the disposal of the instant revision.

After obtaining the order dated 29th April, 2005 the petitioner failed and neglected to take any step in the instant case.

Considering the conduct of the petitioner and on perusal of the impugned judgment, I do not find any ground to

interfere with the impugned order passed by the Court below. Accordingly, the instant revisional application is **dismissed for non-prosecution**.

Let a copy of this order be sent to the Court below forthwith.

(Bibek Chaudhuri, J.)