

D/L54  
June 14,  
2022  
Bpg.

C.R.R. No.1938 of 2022

In Re: An application under Section 401 of the Code of Criminal  
Procedure, 1973;

Sri Biky Biswas  
Versus  
Smt. Riya Majumdar

Mr. Kollol Mondal,  
Mr. Anindya Bose,  
Mr. Krishan Ray,  
Mr. Anamitra Banerjee,  
Mr. Diptendu Mondal,  
Mr. Arindam Poali.  
...for the petitioner.

Mr. Mondal, learned advocate appearing for the petitioner submits that the petitioner be granted liberty to adduce evidence to subsequently rebut the quantum of maintenance awarded by the learned Magistrate by way of an interim measure.

Record reflects that the learned Magistrate on 25<sup>th</sup> January, 2022 was pleased to award a sum of Rs.4,000/- per month by way of interim measure and directed such amount to be paid from the date of filing of the application. In view of the quantum of the maintenance awarded by the learned Magistrate, I do not find any illegality in the said finding or the quantum so awarded. Accordingly, the award of Rs.4,000/- per month so passed by the learned Magistrate is affirmed. The petitioner is directed to make the following payments:

The petitioner would continue to pay a sum of Rs.4,000/- per month as regular payment towards interim maintenance. So far as the arrears which have fallen due, the petitioner would pay a

sum of Rs.2,000/- per month towards arrears maintenance till the same is exhausted.

The learned Magistrate is directed to expedite the progress of the trial of the case and arrive at its final verdict within a reasonable period of time.

Accordingly, CRR 1938 is disposed of.

Needless to state that any observations made hereinabove is for the limited purpose of disposal of the revisional application and the learned trial court would arrive at its independent findings without being influenced by any of the observations made by this Court.

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

**(Tirthankar Ghosh, J.)**