

21.11.2022
S/L No.22
KS

C.R.R. 1525 of 2021
With
IA No. CRAN 2 of 2022 [Not Found]
Nazmun Nahar
-Vs.-
State of West Bengal & Anr.

Mr. Susnigdho Bhattacharyya
..... For the Petitioner
Ms. Mausumi Sarkar
.....For the State
Mr. Kallol Kumar Basu
Mr. Anindya Sundar Das
Ms. Taslima Khatun
Md. Jannat Ul Firdous
Ms. Tithi Mazumdar
.....For the O.P. No.2

The present revisional application was preferred challenging the order dated 20th April, 2021 wherein the Learned Magistrate was pleased to grant interim maintenance of Rs.700/- to the wife and Rs.500/- per month to the minor daughter. The wife who was awarded a sum of Rs.700/- was aggrieved and approached this Court for enhancing the said amount. I find that there is substantial ground for the quantum of maintenance to be reconsidered in the background of the present cost index for an individual to survive. However, as the quantum was imposed by way of an interim measure during the pendency of the main application under Section 125 of the Code of Criminal Procedure, at this stage, I do not want to disturb the progress of evidence of the case.

Accordingly, I direct that the Learned Trial Court would conclude Maintenance Case No.411 of 2009 by 30th April, 2023 for the said purpose. Learned Magistrate would be at liberty to prepone the earlier dates so fixed and if required would constitute a schedule for concluding the trial within the

aforesaid period. Learned Magistrate will freshly consider the minimum amount required for an individual to survive while awarding the final maintenance in the proceedings.

With the aforesaid observations, CRR 1525 of 2021 is disposed of.

Pending applications, if any, are consequently disposed of.

All parties are directed to act on the server copy of this order downloaded from the official website of this Hon'ble Court.

(Tirthankar Ghosh, J.)