

13.05.2022

Item No.50

Ct.No.34

dc.

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION**

C.R.R. 1162 of 2013

**Smt. Dulu Rani Samanta & Anr.
versus
Amal Kumar Samanta**

In Re: An Application under Sections 401 and 482 of the Code of Criminal Procedure.

Mr. Amal Krishna Samanta ... For the Petitioners.

The present revisional application has been preferred in respect of the judgment and order dated 14.09.2012 passed by learned Additional District and Sessions Judge, Fast Track, 1st Court, Haldia, Purba Medinipur in connection with Criminal Revision No. 1161 of 2011.

The original case was an application under Section 125 of the Code of Criminal Procedure which was preferred at the instance of the present petitioners being Misc. Case No. 154 of 2009. The impugned order reflects that the learned sessions court was pleased to direct the husband to pay a sum of Rs.800/- per month to the wife and Rs.400/- per month to the minor daughter.

I find from the order of the learned Judicial Magistrate, 1st Class, Haldia that the learned Magistrate after considering the evidence was pleased to award Rs.1200/- per month to the wife and Rs.800/- per month to the minor daughter.

I do not find any reason which has been assigned by the learned sessions court while exercising its revisional

power in reducing the quantum of maintenance. Accordingly, the said order dated 14.09.2012 is hereby set aside.

The husband/opposite party is directed to pay a sum of Rs.1200/- per month to the wife/petitioner no.1 and Rs.800/- per month to the minor daughter/petitioner no.2 from the date of the application as was directed by the learned Judicial Magistrate, 1st Class, Haldia on 24.06.2011.

In view of the observations made above, I direct the learned Judicial Magistrate, 1st Class, Haldia to issue appropriate notices to the parties for recovery of any arrears or execution of the order of this Court.

With the aforesaid observations, the revisional application being CRR 1162 of 2013 is disposed of.

Interim order, if any, is hereby vacated.

All pending connected applications, if any, are consequently disposed of.

Department is directed to communicate this order to the learned Judicial Magistrate, 1st Class, Haldia, Purba Medinipur.

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 with all requisite formalities.

(Tirthankar Ghosh, J.)