

08.08. 2022
item No.50
n.b.
ct. no. 34

**CRR 2155 of 2009
IA No. CRAN 1 of 2009
(Old No. CRAN 3134 of 2012)**

**Sudip Kumar Ghosh
Vs.
State of West Bengal & Ors.**

Mr. Dipayan Das
.....for the Petitioner

The revisional application was preferred against the judgment and order dated 08.4.2009 passed by the Learned Judicial Magistrate, 1st Class, 5th Court, Barrackpore, North 24 Parganas in M-Case No.185 of 2005(T.R.No.511 of 2005).

By the said Judgment and order, the Learned Trial Court was pleased to order maintenance @Rs.800/- per month to each i.e. the petitioner and the minor child aggregating to sum of Rs.1600/- per month with effect from the date of filing of the application on 19.5.2005. At the stage of admission of the revisional application, a Co-ordinate bench of this Court by an order dated 1.7.2009 was pleased to direct the petitioner to pay a sum of Rs.1200/- per month to the wife/opposite party as well as to the minor son. More than thirteen years have passed since then and there has been no steps taken for the revisional application to be heard out on merits.

Having regard to the quantum which was imposed by the Learned Judicial Magistrate which is Rs.1600/- per month and the fact there has been complete change of circumstances

so far as the cost of price index is concerned, I am not inclined to interfere with the order dated 8.4.2009 passed by the Judicial Magistrate, 1st Class, 5th Court, Barrackpore.

Accordingly, CRR 2155 of 2009 is dismissed.

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

Interim order, if any, is hereby vacated.

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

(Tirthankar Ghosh, J.)