

20.07.2022
S/L No.15
KS

C.R.R. 2571 of 2016

Sri Kalyan Krishna Nandi
-Vs.-
Smt. Nita Nandi (Mani) & Ors.

Mr. Kalyan Krishna Nandi
.....For the Petitioner (In person)

The petitioner/Mr. Kalyan Krishna Nandi appears in person.

Affidavit of service has been filed indicating that service has been made upon opposite party no.1 through Registered Post. The same is taken on record.

On call none appears for opposite party no.1.

The revisional application filed under Section 482 read with Section 401 of the Code of Criminal Procedure is taken up for hearing. The petitioner/husband has assailed order dated 16.12.2015, 02.03.2016, 09.03.2016, 22.04.2016 and 25.05.2016 passed by Learned Additional District and Sessions Judge, 2nd Court, Barrackpore in Criminal Revision No.369 of 2015 whereby the prayer of the petitioner to file documents in that case was rejected and the Revisional application was dismissed.

Perused the impugned order passed in Criminal Revision No.369 of 2015 directed against an order of interim maintenance passed by Learned Judicial Magistrate, 4th Court, Barrackpore in Misc. Case No.384 of 2014. It appears from the said order that on earlier occasion another Criminal Revision bearing no.254 of 2015 was preferred by the

petitioner challenging the order of interim maintenance and the said revision was disposed of affirming the order of the Learned Magistrate.

Since similar contentions were raised by the petitioner before the two Courts challenging the same order of interim maintenance on various grounds, Learned Additional District & Sessions Judge, 2nd Court, Barrackpore was pleased to dismiss the Revisional application no.369 of 2015. Both the revisional applications are annexed with the CRR 2571 of 2016. On traversing the same, it appears to me that basically the petitioner has challenged the order of interim maintenance passed in a case under Section 125 of the Code of Criminal Procedure which was the subject matter of in another Criminal Revision bearing No.254 of 2015.

Under such circumstances, the Court of learned Additional District & Sessions Judge, 2nd Court, Barrackpore committed no error of law in dismissing the revisional application on the self-same cause filed earlier and disposed of in Criminal Revisional No. 254 of 2015.

I do not find any merit in the present revisional application filed by the petitioner. Such application is an abuse of the process of court and the same is dismissed.

Interim order, if any, stands vacated.

Let a copy of this order be communicated to the Court of learned Additional District & Sessions Judge, 2nd Court, Barrackpore for information.

(Ananda Kumar Mukherjee, J.)