

29-04-2022
Subha
Item no.54
Ct no.34

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction

CRR 2667 of 2018

In the matter of : **Sudipta Bajpayee**

.....petitioner.

In Re : An application under Section 401 read with S.482 of the Code of Criminal Procedure.

The revisional application has been preferred challenging the order dated 28.06.2018 passed by the learned Chief Judicial Magistrate, Murshidabad in MR Case No. 694 of 2018 awarding Rs.1500/- per month to the applicant and thereafter transferring the case to the learned Judicial Magistrate, 3rd Court, Berhampore.

I find from the records of the case that the order was passed on 28th June, 2018 and the learned Chief Judicial Magistrate, Murshidabad in cases of urgency is empowered to pass an interim order. Further, the quantum of award was a meager amount and by way of an interim measure during the pendency of the main proceedings which is obviously for the purpose of survival of the applicant lady.

Having regard to such quantum being awarded as an interim measure, I am of the opinion that the no interference is called for.

Accordingly, the present revisional application being CRR 2667 of 2018 is dismissed.

The learned trial court is directed to consider the present cost

of living while finally disposing of the maintenance application if the same has already not been disposed of.

All pending applications, if any, in connection with the revisional application, are consequently disposed of.

Interim order, if any, is hereby vacated.

All concerned parties are to act in terms of a copy of this order duly downloaded from the official website of this court.

[Tirthankar Ghosh, J]