

21.11.2022
Court No.13
Item No.27
AP

WPA 21985 of 2022

**Sri Purushottam Mondal
Vs.
The State of West Bengal & Ors.**

Mr. Saibal Acharyya
Mr. Pradip Paul
Mr. Gourab Ghosh

... For the Petitioner.

Mr. Ashim Kumar Ganguly
Mr. Jaydip Banerjee

... For the State.

Mr. Shuvanil Chakraborty

... For the Respondent Nos.5 & 6.

Mr. Debashis Sarkar

... For the added Respondent.

Affidavit of service filed in Court today is taken on record.

The younger son is represented.

By consent of the parties, the following order is passed:-

The order of maintenance passed by the Additional Chief Judicial Magistrate, Jhargram under Section 125 of the CrPC is modified.

The elder son namely Gourpada Mondal shall pay a sum of Rs.10,000/- to the writ petitioner/father. He shall also clear all pending arrears in terms of the order of the Additional Chief Judicial Magistrate, Jhargram within a period of one month from date.

The younger son namely Nityananda Mondal, shall also pay a sum of Rs.10,000/- to the mother.

The petitioner undertakes before this Court that he will ensure that his wife Smt. Puspa Rani Mondal shall live in peace in the said house. Her comfort shall be ensured in a suitable room of her choice by the writ petitioner himself.

The payment of maintenance shall be made by the two sons by tomorrow mandatorily and positively. The said Gourpada Mondal and Nityananda Mondal shall continue to pay maintenance amounts directed hereinabove month to month thereafter starting on the 1st of December 2022.

The other civil issues between the parties shall be decided before the appropriate civil forum where the issues are pending.

This Court has only decided the issues of maintenance payable by the two sons named hereinabove and the right of residence of the respondent No.6/mother namely Smt. Puspa Rani Mondal.

In the event of default of payment of maintenance by the two sons namely Gourpada Mondal and Nityananda Mondal, the Officer-in-Charge, Sankrail Police Station shall be entitled to enforce this order against the two sons inter alia by arrest and/or detention.

With the aforesaid directions, the writ petition is disposed of.

There shall be no order as to costs.

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

(Rajasekhar Mantha, J.)