

10.02. 2022
item No.35
n.b.
ct. no. 34

(via video conference)
CRR 3059 of 2017
Rakhi Mourya nee Karmakar
Vs.
Sanjit Mourya

The subject matter of challenge relates to the order dated 9.8.2017, wherein the Learned Judicial Magistrate was pleased to award interim maintenance of Rs.1500/- per month to the petitioner wife and Rs.1,000/- per month to the minor son aggregating to sum of Rs.2,500/- per month.

Having regard to the fact that the said sum was awarded as an interim measure during pendency of the main application under Section 125 of the Code of Criminal Procedure, I am of the opinion that it would be unfair to interfere at this belated stage. Record also reflects at the relevant point of time when the petitioner approached before this court, date was fixed for evidence on November 20, 2017. In case the learned Magistrate has not arrived at the finality of the said proceedings, the learned Magistrate would consider the minimum amount required for survival of an individual keeping in mind the present cost index.

Accordingly, CRR 3059 of 2017 is disposed of.

All pending connected application, 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.)