

8.2.2022
S.D.
20.

C.R.R. 2670 of 2013

In the matter of: Sri Amit Prasad

.....Petitioner.

Mr. Binoy Panda

Ms. Puspita Saha

...For the State.

The matter is listed today for consideration.

On call, none appears for the petitioner.

The petitioner has assailed the order dated 24.7. 2012 passed by learned Judicial Magistrate, 1st Court, Siliguri in M.R. Case No. 119 of 2011 under Section 125 of the Cr.P.C. awarding interim maintenance in favour of the opposite party no. 1/wife.

Mr. Binoy Panda along with Ms. Puspita Saha, learned advocates appear for opposite party no.2, the State. Concerned authority is required to regularize their appointments.

Learned advocates for the State draws my attention to the order passed by this Court on 30.7.2013 whereby the petitioner was directed to go on paying a sum of Rs.4,000/- per month for the maintenance of the daughter and sum of Rs.3,000/- per month for the maintenance of his wife and also to liquidate the outstanding amount in ten equal monthly instalments together with current maintenance. It was further directed that the Magistrate can proceed and dispose of the main application for maintenance in accordance with law preferably within six months from

the date of order. Learned advocate for the State submitted that the petitioner is disinclined to proceed with this application due to efflux of time. Furthermore it is also highly probable that the main application for maintenance has been disposed of by the Court.

In view of such submissions and considering the facts and circumstances of this case, I do not find any illegality to interfere with the impugned order of interim maintenance allowed by the learned Magistrate in favour of the wife and the minor daughter. The revisional application is therefore, dismissed on its merit.

Let a copy of this order be sent to the 1st Court of learned Judicial Magistrate, Siliguri, District – Darjeeling for information.

(Ananda Kumar Mukherjee, J.)