

MAT 1460 of 2018
with
CAN 1 of 2018 (Old No. CAN 10042 of 2018)

(Nandini Khatik Vs. Sajal Kumar
Sardar & Ors.)

Mr. Ayan Banerjee
Mr. Sourav Paul

..... For the appellant

Mr. Ramij Munsif

**..... For the respondent
nos. 4 to 6**

The present appeal has been preferred against an order dated 3rd October, 2018 passed in a writ petition being W.P. No. 11127 (W) of 2018. By the said order, the Officer-in-Charge, Domjur Police Station was directed '*to ensure that the daughter-in-law either does not enter the said premises owned by the father-in-law and/or shall escort the daughter-in-law out of the premises, if she is still residing thereat*'.

Records reveal that in the present appeal, an order was passed by a co-ordinate Bench of this Court on 2nd March, 2020 observing, *inter alia*, that a rented accommodation in Howrah should be arranged for the appellant by the private respondents. By the said order, the maintenance amount of Rs.8,000/- per month, as directed to be paid to the appellant in the pending matrimonial suit, was enhanced and it was directed that the private respondents shall pay an amount of Rs.10,000/- per month to the appellant for maintenance, excluding the rent payable for the accommodation to be arranged for the appellant.

Pursuant to such direction, a one bed-room flat in Howrah was arranged for the appellant by the private respondents and she was asked to visit the same. Due to the prevailing pandemic situation, she could not visit the said flat.

In the midst thereof, an application for addition of party was filed by the appellant and the same was allowed by an order dated 13th June, 2022. On the said date the private respondents submitted that they would take steps to book a suitable room afresh for accommodation of the appellant. In view of such submission, the matter was adjourned. The matter again appeared for hearing on 25th July, 2022, when this Court directed the appellant to inspect the rooms, as arranged for her accommodation.

Today, Mr. Banerjee, learned advocate appearing for the appellant submits that the rooms, as offered by the private respondents, were not suitable for her accommodation.

Mr. Munsi, learned advocate appearing for the respondent nos. 4 to 6, however, disputes such contention.

Mr. Banerjee submits that the appellant would make arrangement for her accommodation and that she may be paid an amount of Rs.8,000/- per month towards rent.

Mr. Munsi, however, submits that the private respondents are agreeable to pay an amount of Rs.6,000/- per month towards rent.

As the appellant is not satisfied with the rooms selected by the respondents, we direct the appellant to make arrangement for her accommodation and we are of the

opinion that it would be reasonable to direct the private respondents to pay an amount of Rs.6,500/- per month towards rent for such accommodation.

The private respondents are, accordingly, directed to pay the amount of Rs.6,500/- per month to the appellant on and from the month of August, 2022.

We have been informed that an amount of Rs.10,000/- per month is being credited to the bank account of the appellant. The private respondents shall pay the said amount of Rs.6,500/- per month on and from the month of August, 2022 in the same account.

Drawing our attention to the order dated 2nd March, 2022, Mr. Munsii informs this Court that the private respondents have returned all the articles to the appellant save and except a bed and an almirah.

We direct that the appellant would be at liberty to take back the said almirah and one bed.

It is made clear that the amount for maintenance as directed by this Court being Rs.10,000/- per month would be subject to any further order that may be passed by the learned Court below in the pending matrimonial suit.

With the above observations and directions, the appeal and the connected application are disposed of.

There shall, however, be no order as to costs.

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

(Raja Basu Chowdhury, J.) (Tapabrata Chakraborty, J.)