

Sr. 20
23-02-2022
Subha.
Court no. 34

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION
APPELLATE SIDE**

CRR 3679 of 2019

In the matter of : **Nimai Chandra Bera @ Nimai Bera**petitioner.

In Re : An application under Section 482 read with S.401 Cr.P.C.

Mr. Suman De

....for the pvt. Opposite party.

The present application has been preferred against the order dated 30th July, 2018 wherein the learned Magistrate, 5th court, Paschim Medinipur was pleased to allow the interim maintenance thereby awarding Rs.2,000/- per month to the wife and Rs.1000/- per month to each of the child (son and daughter) aggregating to a sum of Rs.4,000/- per month.

The learned court thereafter fixed the date for evidence. Number of dates thereafter have been fixed but subsequently an application was filed by the petitioner for vacating the interim order of ex parte hearing which was fixed on 31st October, 2018.

None appears on behalf of the petitioner. However, Mr. Suman De, learned advocate appears on behalf of the private opposite party. However, having regard to the

fact that the subject matter of challenge is only restricted to the quantum and order of interim maintenance, I am of the opinion that the same is based as an ad interim measure before consideration of evidence which were to be placed.

As such, no interference is called for by this court.

Petitioners would be at liberty to agitate all the points canvassed in this application in course of trial or at the stage of the final argument of the case before the learned Magistrate.

With the above observations, the present revisional application being CRR 3679 of 2019 is disposed of.

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

Inter order, if any, is hereby vacated.

All parties are to act on the server copy of this order duly downloaded from the official website of this court.

(Tirthankar Ghosh, J.)