

12.05.2022

Item No.32
Ct.No.34
dc.

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

C.R.R. 3759 of 2017

**Naresh Rathi
versus
Lalita Rathi & Anr.**

In Re: An Application under Sections 397/401 read with Section 482 of the Code of Criminal Procedure, 1973.

The present revisional application has been preferred challenging the judgment and order dated 12.10.2017 passed by learned Additional Principal Judge, Family Court, Calcutta in Misc. Case No. 78 of 2015 under Section 125 of the Code of Criminal Procedure.

The learned Family Court was pleased to award maintenance of Rs.35,000/- per month to the wife/opposite party no.1 herein from the date of filing of the application i.e. 07.09.2015. The foundation of fixing such quantum was on the basis of evidence of the husband/petitioner wherein he admitted that he was earning a sum of Rs.1,00,000/- per month by working as Deputy General Manager at J.M.S. Mining Services Private Limited at New Town, Rajarhat.

I do not find that the fixation of the quantum by the learned court was contrary to the settled principles of law. As such, there is no scope for interference in the order under challenge.

Accordingly, the revisional application being CRR 3759 of 2017 is dismissed.

Interim order, if any, is hereby vacated.

All pending connected applications, if any, are consequently disposed of.

However, if there are change of circumstances, the petitioner would be at liberty to invoke the relevant provisions of law for bringing the same to the notice of the learned Family Court.

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

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Tirthankar Ghosh, J.)