

16-01-2023
Subha
Item no.11
Ct no.34

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction

CRR 225 of 2021

Sri Anjan Kumar Chatterjee
-versus-
The State of West Bengal & Anr.

Re : An application under Section 482 of the Code of Criminal Procedure.

Mr. Angshuman Chakraborty
....for the petitioner.

Mr. Imran Ali
Ms. Debjani Sahu
....for the State.

Record of this revisional application reflects that by an order dated 27th January, 2021, a co-ordinate Bench of this court was pleased to pass an interim order directing the petitioner to pay and/or deposit towards interim monetary relief at the rate of Rs.5000/- per month without prejudice to the rights and contentions of the parties.

Having regard to the time period which has passed in the meantime and the submissions advanced by Mr. Chakraborty, learned advocate for the petitioner that the said amount is being paid regularly, I am of the view that till the final determination of the rights under P.W.D.V Act, 2005 is arrived at by the learned Judicial Magistrate, the amount so directed by the co-ordinate Bench of this court on 27th January, 2021 shall continue. The order of enhancement passed by the learned appellate court is kept in abeyance till the completion of the trial.

With the aforesaid observations, the present revisional application being **CRR 225 of 2021** is **disposed of**.

. Needless to state that this court has not gone into the merits of the case but has assessed the period of time which has elapsed since the private opposite party preferred the application under Section 12 of the P.W.D.V Act, 2005. The learned Magistrate would independently come to the conclusion after assessment of the materials including the documents placed by the petitioner regarding the capacity of the petitioner to pay maintenance and would be at liberty to either enhance or reduce the quantum so earlier granted.

Pending applications, if any, are consequently disposed of.

All concerned parties are to act in terms of a copy of this order duly downloaded from the official website of this court.

[Tirthankar Ghosh, J]