

D/L35
18.01.2023
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C.R.R.885 of 2021

In Re: An application under Section 482 read with 397 of the Code of Criminal Procedure;

Chiranjit Das @ Piklu
Versus
Arpita Das nee Saha

The revisional application has been preferred challenging the order dated 30th July, 2019 passed by the learned Judicial Magistrate, Additional Court, Lalbagh, Murshidabad in connection with M.R. Case No.729 of 2015 under Section 125 of the Code of Criminal Procedure.

The present petitioner happens to be the husband who has challenged such order of maintenance of Rs.5,000/- per month awarded by the learned trial court. The foundation of the order passed by the learned Magistrate was after scrutinizing the evidence available on the records of the case. It has come on record that the present petitioner happens to be the municipal tax collector of Jiagunj Municipality. While the present petitioner tried to controvert such contention that although he is the municipal tax collector but he was earning Rs.2,000/- to 3,000/- per month. Learned trial court disbelieved such contention as the petitioner was working in a statutory authority and did not rely upon any salary receipt to rebut the quantum of salary. Having considered the reasons so assigned by the learned Magistrate, I am of the opinion that no interference is called for.

Accordingly, the revisional application being CRR 885 of

2021 is dismissed.

Pending application, if any, is consequently disposed of.

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 of all requisite formalities.

(Tirthankar Ghosh, J.)