

05.07.2023
Serial no. 129
[G.S.D]

CRR 1286 of 2023

Ref. An application under Section 482 of the Code of Criminal Procedure, 1973.

In the matter of : Falguni Karmakar

... .. Petitioner

Mr. Pawan Kr. Gupta
Ms. Sofia Nesar
Mr. Santanu Seth

... .. For the Petitioner

Mr. Nandadulal Bandyopadhyay
Mr. Mahadeb Ghosh

... for the Opp. Party

Mr. Gupta, Learned Advocate appearing for the petitioner has challenged the order dated 12.12.2022 with regard to the quantum of maintenance which has been awarded by the Learned Magistrate in M.C. Case No. 73 of 2021.

The records reflect that the husband is an employee of the Railway department having minimum earning of Rs.25,500/-(although contested by Mr. Gupta as Rs.36,000/-).

In view of the admitted portion of the same, I am of the view that the quantum which has been awarded by way of an interim maintenance is not a proper yardstick.

In the fitness of circumstances, the said order is set aside so far as it relates to the quantum of maintenance is concerned.

Hence, the applicant/wife will be entitled to get maintenance of Rs.8,000/- per month in the mode and manner as has been stated by the Learned ACJM,

Arambagh. If the husband/O.P. is able to produce the documents regarding his compulsions by way of taking out an appropriate application, the Learned ACJM, Arambagh would consider the same and, if required, can alter or amend the said amount.

With the above observations, **CRR 1286 of 2023** along with the connected application(s), if any, stands **disposed of**.

Parties shall act on the server copy of this order, duly obtained from the official website of the Hon'ble High Court, Calcutta.

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

(Tirthankar Ghosh, J.)