

23-03-2023
Subha
Item no. 33
Ct no.34

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction

C.R.R 1275 of 2021

Smt. Soma Dey
-versus-
Sri Taps Dey

Mr. Debasis Kar
...for the petitioner.

Mr. Kar, learned advocate appearing on behalf of the petitioner submits that he is aggrieved by the quantum of maintenance so granted by the learned Magistrate by its order dated 3rd November, 2020 in M. Case No. 115 of 2019.

The grievance of the petitioner is that such order of maintenance was awarded from the date of passing of the order and not from the date of filing of the application under Section 125 of the Code of Criminal Procedure.

On perusal of the order dated 3.11.2020, I find that no reasons have been assigned by the learned Magistrate for the purposes of awarding the maintenance from the date of the order and not from the date of filing of the application under Section 125 of the Code of Criminal Procedure.

Mr. Kar, learned advocate for the petitioner is directed to take out an appropriate application before the learned Judicial Magistrate, 5th Court, Barrackpore in connection with M. Case No. 115 of 2019. If such an application is presented, the learned Magistrate would

dispose of the same in accordance with law within a period of three months after effecting service upon the opposite party.

With the aforesaid observations, the revisional application being CRR 1275 of 2021 is disposed of.

. 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]