

D/L34
07.12.2023
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C.R.R.1542 of 2023

In Re: An application under Section 401 read with Section 482 of the
Code of Criminal Procedure;

Avijit Samanta and others
Versus
The State of West Bengal and another

Mr. Randhir Kumar Singh
Mr. Sunny Nandy
Mr. Subha Pathak.
...for the petitioners.

The learned trial court and the learned appellate court have come to a finding of interim monetary relief to the tune of Rs.8,000/- per month. I have considered the factual circumstances taken into account by both the learned trial court and the learned appellate court.

Having regard to the submissions made by the learned advocate appearing for the petitioners that the petitioner no.1 is working as a daily labourer in an engineering concern on “no work no pay basis” and there are documents to substantiate the same, I am of the view that the documents be produced at the trial stage, as the genuinity of which can be gone into by the learned trial court at the time of trial. So far as the quantum of interim maintenance is concerned, the same is not interfered with.

Let the trial of the case be expedited by fixing at least one date in a month. The learned trial court would give few instalments to the present petitioner no.1 in case there are arrears which have accrued till date for the quantum of maintenance not having been

paid.

With the aforesaid observations, CRR 1542 of 2023 is disposed of.

Pending connected 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.)