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CRR 1349 of 2015
Nepal Chowdhury
Vs.
The State of West Bengal & Anr.

Mr. Santanu Talukdar,
Ms. Roma Roy. For the petitioner.

1. None appears on behalf of the opposite party.
2. This is a revisional application under Section 482 read with Section 401 of the Code of Criminal Procedure challenging the judgment and order dated 29.11.2014 passed by the learned Judicial Magistrate, 2nd Court, Ranaghat, Nadia in connection with Misc. Case No. 21 of 2011 under Section 127 of the Code of Criminal Procedure arising out Misc. Case No. 82 of 2000 under Section 125 of the Code of Criminal Procedure.
3. By the order dated 7th May, 2010 learned Judicial Magistrate, 2nd Court Ranaghat, Naida disposed of an application under Section 125 of the Code of Criminal Procedure directing the opposite party to pay maintenance of Rs.600/- per month as petitioner was already getting Rs. 440 as interest from the amount deposited by the opposite party in her name. There is no

dispute regarding relationship between the parties. Subsequently opposite party of this revisional application filed an application under Section 127 of the Code of Criminal Procedure which was disposed of by the order dated 29.11.2014. By the order, learned Judicial Magistrate, 2nd Court, Ranaghat, Naida enhanced the maintenance amount from Rs.600/- per month to Rs.3000/- per month.

4. Being aggrieved, the instant revisional application has been filed in year 2015 by the petitioner contending, inter alia, that the petitioner had no source of income and the amount of maintenance was fixed without considering the materials on record.
5. Mr. Santanu Talukdar, learned counsel appearing on behalf petitioner has submitted that the impugned order was challenged by the instant revisional application in the year 2015 due to enhanced amount of maintenance and in his usual fairness, Mr. Talukdar submitted that the amount of maintenance though considered to be high in year 2015 now in the year 2023 the amount of Rs.3000/- per month cannot be said to be so high. It has been submitted that the necessary direction be given to the petitioner to go on paying the maintenance amount of

Rs.3000/- per month to the opposite party/wife as petitioner/husband is already complying the order dated 29.11.2014 directing the payment of maintenance at the rate of Rs.3000/- per month.

6. Given facts and circumstances, the instant revisional application stands dismissed with a direction upon the petitioner to go on paying the maintenance of Rs.3000/- per month to his wife/opposite party.
7. With the aforesaid observation, the revisional application stands dismissed.
8. Pending applications, if there be any, also stand dismissed.
9. All parties to this revisional application shall act on the server copy of this order downloaded from the official website of this Court.
10. Urgent photostat certified copy of the order, if applied for, be given to the parties on usual undertakings.

(Bibhas Ranjan De, J.)