

11-07-2023
Subha
Item no. 26
Ct no.34

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction

CRR 2373 of 2022

Bisnupada Sarkar
-versus-
Aparna Sarkar nee Mridha & Anr.

Mr. Arpan Mondal

....for the petitioner.

Petitioner has challenged the order of the revisional court in Criminal Motion No. 159 of 2022 passed by the learned Sessions Judge, Alipore.

The contention of the petitioner is that he has other responsibilities and although he is a primary school teacher having a salary of Rs.40,000/-(approximately) but he is unable to pay the same as he has other responsibility which amounts to an expenditure of Rs.38,000/-. The learned Sessions Court while admitting the revisional application vide its order dated 21st June, 2022 in fact reduced the quantum from Rs.8000/- to Rs.5000/- as an interim measure during the pendency of the revisional application. The said order is an interlocutory order and the petitioner was supposed to agitate and canvass all the points in course of the revisional application itself. Ordinarily, in such cases where a person earns Rs.40,000/- the yardstick is of one-third of the earning of the husband.

However, having considered the fact that a meagre sum of Rs.5000/- was directed to be paid and that too raised grievance of the petitioner, I am of the opinion that the same has no foundation in law.

With the aforesaid observations, the present revisional application being CRR 2373 of 2022 is dismissed.

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.

Urgent Photostat certified copy of this order, if applied for, be given to the parties on completion of usual formalities.

[Tirthankar Ghosh, J]