

14.07.2023

Item No.18
Ct.No.34
dc.

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION**

C.R.R. 2548 of 2023

In the matter of : **Debolin Dilip Bhattacharya** ... Petitioner.

Mr. Farhat Khan,
Mr. Ranjan Roy,
Mr. Aneek Biswas,
Ms. Sana Naaz,
Mr. Farooq Hassan ... For the Petitioner.

Learned advocate appearing for the petitioner challenges the order relating to arrear maintenance in connection with M Ex 659/2019. Learned advocate submits that after hearing the contentions advanced on behalf of the present petitioner, learned trial court refused to accept such contentions that the petitioner will not separately pay in all the cases wherein monetary relief or maintenance has been awarded. According to the learned advocate, learned Magistrate has insisted upon paying in all the three cases separately. It has also been submitted that about Rs.23,00,000/- (Rupees twenty-three lakh) have been paid to the lady as a combined payment in the respective three cases.

In view of the prayer advanced before this Court, I am of the opinion that there is no scope to elaborate further. The learned advocate for the petitioner would produce the ordersheets relating firstly to the quantum decided in all the three cases regarding the monetary relief/maintenance awarded by the concerned court. The learned advocate for the petitioner would also file an affidavit regarding the total quantum paid to the wife/opposite party herein till date.

The learned Magistrate would see/assess/scrutinise the accounts so placed and it is made clear that out of the three cases, the award which is the highest would only be paid and the quantum of award in rest of the two cases would be deemed to be adjusted. After scrutinising or assessing the relevant documents, if there are any dues, the learned court would thereafter insist on payment of the same within a specified period of time. In the alternative, learned court would proceed in accordance with law (if required, drop the proceedings).

With the aforesaid observations, the revisional application being CRR 2548 of 2023 is disposed of.

Pending connected application, if any, is consequently disposed of.

All concerned 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 with all requisite formalities.

(Tirthankar Ghosh, J.)