

19.09.2023
Serial no. 64
[G.S.D]

CRR 3172 of 2022

In the matter of : Rejaul Islam @ Bappa

... .. Petitioner

Mr. Apalak Basu
Ms. Sanghamitra Mridha

... for the petitioner

Learned Advocate for the petitioner submits that the amount of interim maintenance awarded in this case, aggregating to a sum of Rs.10,000/-, is creating hardship to the present petitioner, as he is unemployed.

In this case, marriage has been admitted and children are of the present petitioner. The amount which has been awarded is not exorbitant and, as such, does not warrant any interference to be made by this Court.

The petitioner would be at liberty to take out an application under Section 127 of the Cr.P.C. before the Id. Trial Court to substantiate his claim of unemployment and also to place his liabilities, if any. If such an application is filed, then, the Id. Trial Court would dispose of the same within a period of three months from the date of filing of such application.

However, in the meantime, the petitioner will go on paying the interim maintenance amount, which has been awarded by the Id. Magistrate.

With the above observations, CRR 3172 of 2022 is disposed of.

Pending application, if any, is also disposed of.

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court at Calcutta.

(Tirthankar Ghosh, J.)