

15-09-2023
Subha
Item no. 16
Ct no.34

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction

CRR 3016 of 2023

Falguni Saren
-versus-
Subhash Saren

Mr. Abhra Mukherjee
Mr. Sauradeep Dutta

.....for the petitioner.

Affidavit of services so filed by the petitioner be kept with the record.

Mr. Mukherjee, learned advocate for the petitioner is aggrieved by a part of the judgement delivered on 21st June, 2023 by the learned Additional Sessions Judge, Chandannagore, Hooghly in Criminal Appeal No. 01 of 2022.

I find that the learned Judge after exercising his discretion on the basis of the materials available on record enhanced the amount of Rs.2000/- per month which was passed by the learned Magistrate/trial court to a sum of Rs.3000/- per month, but by the same judgement and order, the learned appellate court/Sessions Judge directed that the opposite party/husband would pay Rs.500/- per month towards arrears with the current amount till the arrears is cleared. The said part of the order directing to pay only Rs.500/- per month towards arrears is set aside. Petitioner would be at liberty to file execution case claiming the same of Rs.3000/- per month towards the arrears. The execution court will decide the mode and manner in which the payment is to be made to the wife/applicant. So far as the other part of the judgement and order is concerned, the same is not interfered with. Petitioner would be at liberty to approach the learned Magistrate for pursuing the execution case. If such a case is already pending the learned Magistrate would direct for speedy implementation of the order passed.

With the aforesaid observations, the present revisional application being CRR 3016 of 2023 is disposed of.

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.

[Tirthankar Ghosh, J]