

CRR 3007 of 2008

In the matter of : Smt. Tumpa Basak

Mr. Tuhin Subhra Routh
... for the O.P.

None appears on behalf of the petitioner

Mr. Routh, learned counsel representing the opposite party.

This revisional application challenges the judgement and order dated 20.5.2008 passed by the learned Judicial Magistrate, 5th Court, Barrackpur in a proceeding being M-241 of 2004/T.R. 589 of 2004 under Section 125 of Code of Criminal Procedure

The petitioner filed an application seeking maintenance for herself and for her minor son and the learned Trial Court after considering the evidence of parties was pleased to grant a sum of Rs. 3,000/- p.m. towards maintenance. The petitioner Smt. Tumpa Basak considering it insufficient filed an application seeking enhancement of maintenance. The revisional application was filed on 21.8.2008 and it is submitted by Mr. Routh that pending application before this Court the quantum of maintenance was enhanced in a proceeding under Section 127 of Cr.P.C. being Misc. Case No. 18/15 filed by Smt. Tumpa Basak, the petitioner and the quantum of maintenance has been enhanced to Rs.15,000/-.

From the order dated 08.8.2019 passed in Misc. Case No. 18/15, I find that learned Trial Court enhanced the quantum of

maintenance from Rs.5,500/- to Rs.15,000/- which shows that the maintenance to the tune of Rs.3,000/- was also enhanced in due course by a settled proceeding at the instance of the petitioner. Therefore, the revisional application pending before this Court has become infructuous and is dismissed along with application, if any, without any order as to costs.

The photocopy of the orders pronounced in Misc. Case No. 18/15 under Section 127 of Cr.P.C. is taken on record.

Let a copy of the order be sent to the learned Trial Court for information and necessary action.

(Siddhartha Roy Chowdhury, J.)