

Form J(1)

**IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction
Appellate Side**

**Present :
The Hon'ble Justice Bibek Chaudhuri**

CRR 3953 of 2022

**Bappaditya Chaudhury
Vs.
The State of West Bengal and Anr.**

Mr. Allen Felix
..for the petitioner

Item No. 24.

Heard & Judgment on: 10.01.2023

Bibek Chaudhuri, J.

The petitioner is the husband of the opposite party No.2. It is submitted on behalf of the petitioner that in a suit for divorce the opposite party No.2 filed an application for alimony pendente lite. The said application was rejected by the learned trial Judge. The opposite party No.2 did not take any step against the said order passed by the learned trial Judge rejecting the petitioner's application for alimony pendente lite. Subsequently she filed an

application under Section 125 of the Code of Criminal Procedure before the learned jurisdictional magistrate. In the said proceeding an application for maintenance was filed by the opposite party No.2. The learned Magistrate rejected the application for maintenance holding, inter alia, that the opposite party No.2 was not entitled to get any maintenance as her prayer for alimony pendente lite was rejected. Subsequently the petitioner moved in revision before the learned Additional Sessions Judge, First Court at Arambagh challenging the said order passed by the learned Magistrate in M.C. Case No.146 of 2018. The learned Additional Sessions Judge allowed the said revision setting aside the order dated 24th December, 2019 passed by the learned Magistrate in Misc. Case No.146 of 2018 and directing the petitioner to pay maintenance allowance at the rate of Rs.10,000/- per month.

I have carefully perused the instant revision. I do not find any illegality or irregularity in the order impugned.

Accordingly, the instant revision is summarily dismissed.

(Bibek Chaudhuri, J.)