

20-11-2023
Chanchal
Item no. 446
Ct no.34

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction

CRR 4214 of 2023

Dibyendra Kumar Majumder
-versus-
Saswati Majumder & Anr.

Mr. Prasanta Kumar Banerjee
Ms. Indrani Nandi
....for the petitioner.

The revisional application has been preferred challenging the judgment and order dated 29.08.2023 passed by the learned Additional District & Sessions Judge, 2nd 1st Track Court, Alipore in Criminal Appeal No. 164 of 2019.

I have perused the judgment and order passed by the learned appellate court and I find that the learned appellate court was pleased to hold that the earning of the present petitioner as Rs. 2 lakhs per month. The learned advocate appearing for the petitioner before this Court has disputed such contention. In view of the finding arrived at by the appellate court I am of the opinion that if there are documents to controvert such contentions which is the basis on which the learned appellate court came to a finding for deciding the quantum, the petitioner would be at liberty to adduce evidence and the learned trial court under adduce evidence and circumstances would reconsider the quantum so awarded. At this stage no interference is called for in the order dated 29.08.2023 is concerned.

With the aforesaid observations, the present revisional application being CRR 4214 of 2023 is disposed of.

Pending applications, if any, are consequently disposed of.

Certified copy of the order be kept on record.

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]