

13.09.2023
Item No.64
BR

CRR 2883 of 2014

In Re : Biswajit Basu
.... Petitioner

Ms. Karabi Roy,
Mr. Gazi Faruque,
Ms. Priyanka Mondal

.... For the petitioner

Mr. Uday Shankar Chattopadhyay,
Ms. Trisha Rakshit,
Ms. Aishwarya Datta
... for the opposite party no.2

Mr. Avishek Sinha
... for the State

The report filed by the Judicial Magistrate, 2nd Court, Burdwan Sadar, Purba Bardhaman dated 6.4.2023 stated that the learned Sessions Judge, Burdwan in Criminal Motion No. 10 of 2013 vide an order dated 10.7.2013 had set aside the order dated 20.11.2012 passed by the Judicial Magistrate in Misc. Case No. 36 of 2011 and directed the learned Judicial Magistrate to rehear the interim maintenance petition. The interim maintenance petition was re-

heard by the then Judicial Magistrate and the same was rejected on contest by the learned Judicial Magistrate vide an order dated 5.2.2014. The opposite party no. 2 had preferred a criminal motion being No. 18 of 2014 against the aforesaid order dated 5.2.2014 before the learned Sessions Judge, Burdwan. The learned Sessions Judge, Burdwan vide an order dated 12.2.2014 allowed the criminal motion and set aside the said order dated 5.2.2014 passed by the learned Judicial Magistrate and directed the present petitioner to pay interim maintenance of Rs. 3,000/- per month to the petitioner with effect from the date of filing of the said petition and also to pay the arrear amount of maintenance in 16 equal monthly installments of Rs. 6,000/- each. The petitioner's wife filed her affidavit –in-chief on 16.6.2015 and was further cross-examined on 18.8.2016. The next date for recording evidence has been fixed on 17th June, 2023 for the evidence of P.W.2.

The learned trial Court has proceeded with the trial to a considerable extent and this Court is not inclined to interfere with the proceedings.

Under such circumstances the revisional application is dismissed.

The petitioner is at liberty to agitate his grievances before the learned Trial Court.

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

(Ananya Bandyopadhyay , J.)