

30.08.2023

Item No.19
Ct.No.34
dc.

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION**

C.R.R. 4605 of 2022

In the matter of : **Sk. Rajiul Rahaman alias Raju**
... Petitioner.

Mr. Rajiv Lochan Chakraborty,
Mr. Sumanta Ganguly ... For the Petitioner.

Learned advocate appearing for the petitioner submits that he is ready and willing to pay the amount of Rs.20,000/- per month which was awarded as interim maintenance, but the foundation of the quantum which was decided by the court was on the basis of factum that he was in service at the relevant period of time and the amount which he was earning at that period. Learned advocate submits that subsequently the petitioner has been dismissed from service and is not at present earning the same quantum which was the foundation of awarding maintenance to the wife and three children.

I have considered the submission of the learned advocate for the petitioner and I direct that the petitioner would be at liberty to prefer an application under Section 127 of the Code of Criminal Procedure before the learned Judicial Magistrate, 1st Court, Malda who would consider the changed circumstances which was not before the court at the relevant time when the order was passed. In the meantime, the learned Magistrate would pass necessary directions for the quantum of maintenance to be paid and the arrears which are to be recovered.

With the aforesaid observations, the revisional application being CRR 4605 of 2022 is disposed of.

Pending connected application, if any, is consequently disposed of.

All concerned parties shall act on the server copy of this order duly downloaded from the official *website* of this Court.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Tirthankar Ghosh, J.)