

31.01.2024
Serial no. 79
[G.S.D]

CRR 177 of 2024

In the matter of : Sanjay Jhunhunwala

... .. Petitioner

Ms. D. K. Ray

... .. *For the Petitioner*

The petitioner has challenged the order dated 13.12.2023 passed in Misc. Case No. 12 of 2023.

By way of the said order, the Id. Metropolitan Magistrate, 5th Court, Calcutta was pleased to award Rs.15,000/- per month as monetary relief in a proceeding under the provisions of the PWDV Act.

Ld. advocate for the petitioner submits that the petitioner being the husband has a furniture shop but is presently in a distress state. According to the petitioner, his wife is having earning of Rs. 35,000/- per month. The said issue was canvassed before the Id. Metropolitan Magistrate, 5th Court, Calcutta.

The Id. Magistrate on appreciation of the same and by referring to the parties for which the provisions have been incorporated arrived at its findings that the husband cannot escape the liability of maintaining the wife and concluded by way of directing to pay a sum of Rs.15,000/- per month. To that aspect, the Ld. Magistrate was of the

opinion that the husband cannot escape the liability as is referred to in the act.

Having regard to the reasons so assigned by the Id. Magistrate, I am of the view that the order so passed do not call for any interference.

With the aforesaid observations, CRR 177 of 2024 is dismissed.

Pending application, if any, is also disposed of.

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court, Calcutta.

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

(Tirthankar Ghosh, J.)