

16.04.2024
Serial no. 12
[G.S.D]

CRR 142 of 2023

In the matter of : Munmun Ghosh

... .. Petitioner

Mr. Chandradoy Roy

... for the petitioner

Mr. Moyukh Mukherjee

Mr. Abhijit Singh

... for the O.P./husband

The petitioner has prayed for revision of the order dated October 26, 2021 passed by the Id. JM, 4th Court, Barrackpore in M Case No. 236 of 2020 by invoking the inherent powers of this court.

I have considered the reasons so assigned by the Id. JM, 4th Court, Barrackpore by which the Id. Court arrived at its findings by awarding Rs.6,000/- as monthly interim maintenance.

The records of the case reflect that the affidavit of assets and liabilities were placed before the Id. Court and the Id. Court, thereafter, arrived at its findings by awarding Rs.6,000/- per month as interim maintenance.

The records of the case also reflect that the o.p./husband is involved in the business of building materials and other allied professions. The return of the

assessment year reflect that the husband had a gross income of Rs. 3,75,380/-. The records also reflect that Opening Stock in the year was Rs. 26,28,429.55/- and the Closing Stock was Rs.37,17,572.30/-. The son of the petitioner is aged about 21 years.

Having regard to the expenditure of the present petitioner and the overall scenario of maintenance of the two persons, as the son happens to be a major but is unable under the law to get any maintenance, I am of the view that a quantum should be assessed which would suffice the sustenance of the wife and her needs to carry on the family.

Accordingly, the quantum of Rs.6,000/- per month as interim maintenance which was fixed by the Id. JM, 4th Court, Barrackpore is enhanced to the tune of Rs.15,000/- per month by way of interim maintenance to be paid on and from January, 2024.

In case, the husband/o.p. in course of evidence is successful in producing the material-evidence, in that case, the Id. Trial court would, while finally deciding the quantum, modify and/or alter the quantum of maintenance.

With the aforesaid observations, CRR 142 of 2023 is disposed of.

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.)