

M/L130  
01.04.2024  
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C.R.R.1302 of 2024

In Re: An application under Section 482 read with 401 of the Code of Criminal Procedure, 1973;

Md. Shah Alam Mollah  
Versus  
Murshida Khatun and another

Mr. Partha Sarathi Das  
Md. Hafiz Ali  
Ms. Shanta Sarkar.  
...for the petitioner.

Petitioner is aggrieved by the quantum of maintenance so awarded by the learned ACJM, Kandi, Murshidabad.

The issue relating to grievance is that the petitioner purchased some property and transferred the same in favour of the children, yet he has been saddled with a sum of Rs.18,000/- per month (aggregating amount) of interim maintenance.

Learned advocate draws the attention of this Court and submits that he is a retired army personnel getting pension of Rs.36,000/- per month which would create hardship for him.

Having regard to the submissions so advanced and the stage at which the petitioner has approached this Court, I am of the view that if there are documents in favour of the petitioner to substantiate relating to transfer of property as well as his liabilities in lieu of the quantum which he received or earning, the learned trial court would independently at the end of the trial assess the quantum of maintenance without being influenced by any observations made by this Court.

With the aforesaid observations, CRR 1302 of 2024 is disposed of.

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

All 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 of all requisite formalities.

**(Tirthankar Ghosh, J.)**