

01-05-2024
Subha
Item no. 87
Ct no.34

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction

CRR 1777 of 2024

Sri Avijit Sahoo
-versus-
Smt. Sunita Sahoo and anr.

Mr. Soumajit Chatterjee
Ms. Tanusree Das
Mr. Apurba Kumar Chakraborty
.....for the petitioner.

Petitioner has challenged the judgement and order dated 11-03-2024 passed by the learned Additional District and Sessions Judge, 3rd court, Tamluk, Purba Medinipore in Criminal Revision no. 07 of 2023. The said revisional application was preferred in respect of the judgement and order dated 06-12-2022 passed in Misc. Case No. 256 of 2016 by the learned Judicial Magistrate, 2nd court, Tamluk

Petitioner is aggrieved regarding non-appreciation of the facts and the quantum of maintenance so awarded. The learned Magistrate, 2nd court, Tamluk awarded maintenance of Rs.6000/- to be paid from the date of the filing of the case and the same was affirmed by the learned revisional court in Criminal Revision No. 7 of 2023. On the issue relating to question of facts as both the learned Magistrate and the appellate court has affirmed the issue relating to marriage and the quantum of maintenance this court will not interfere until and unless overwhelming materials are there

which would go to show that there are some manifest error in the judgement delivered by both the courts below.

Having regard to the same, I am not inclined to interfere with the judgement and order dated 11-03-2024 passed in Criminal Revision No. 7 of 2023. If there are changed circumstances petitioner by invoking the appropriate provisions of law would approach the learned Magistrate.

With the aforesaid observations, the revisional application being CRR 1777 of 2024 is disposed of.

Pending applications, if any, are consequently disposed of.

All concerned parties are to act in terms of a copy of this order duly downloaded from the official website of this court.

[Tirthankar Ghosh, J]