

24.06.2024
Item No.12, DL
Ct.19
A.J.

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

C.O. 2108 of 2024
Sri Debasish Nandy
-Vs-
Smt. Jui Nandy nee Paul

Mr. Sambhunath De. ...for the petitioner.

The petitioner is the husband of the opposite party.

He has filed a matrimonial suit being Matrimonial Suit No.1885 of 2021 for dissolution of his marriage with the opposite party by a decree of divorce.

The said suit is pending before the 2nd Fast Track Court of the learned Additional District Judge at Barasat, District : 24-Parganas (North).

The learned Trial Judge by the order impugned being Order dated January 31, 2024 has disposed of an application for alimony *pendente lite* filed by the opposite party in the said matrimonial suit by directing the husband to pay maintenance @ Rs.10,000/- per month to the wife/opposite party and Rs.8,000/- per month to the minor daughter.

The petitioner is aggrieved by the quantum of alimony *pendente lite*.

The husband has admitted that his gross salary is Rs.9,69,518/- per annum.

In view of such admitted income of the husband, the rate of alimony *pendente lite* is on the lesser side, as such the order impugned does not call for any interference.

The learned Advocate for the petitioner submits that there is an order of maintenance in favour of the wife passed in a proceeding initiated by her under The Protection of Women from Domestic Violence Act 2005 but the wife has suppressed the said fact in the proceeding for maintenance *pendente lite*.

The said order has not been brought to the notice of the learned Trial Judge.

The petitioner, therefore is at liberty to bring the said order to the notice of the learned Trial Judge for appropriate order.

C.O. 2108 of 2024 is disposed of with the above terms without any order as to costs.

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

(Biswajit Basu, J.)