

S/L 7
18.7.2024
Court No.19
SD

IN THE HIGH COURT AT CALCUTTA
CIVIL REVISIONAL JURISDICTION

CO 2443 of 2024
With
CAN 1 of 2024

Sankar Banerjee @ Sankar Dilip Kanti Banerjee
Vs.
Payel Banerjee

Mr. Sourabh Sengupta

...for the Petitioner.

The petitioner is the husband of the opposite party. He has filed the *Matrimonial Suit No.2168 of 2018* for dissolution of the marriage between the parties by a decree of divorce. The said suit is pending before the 2nd Court of learned Additional District Judge at Barrackpore, District: 24 Parganas (North).

The learned Trial Judge by the order impugned dated April 09, 2024 has disposed of an application under Section 36 of the Special Marriage Act, 1954 by directing the husband to pay alimony *pendente lite* at the rate of Rs.8,000/- per month and a further amount of Rs.5,000/- towards litigation expenses.

Learned advocate for the petitioner submits that his client earns a sum of Rs.22,900/- per month but since he is residing at Mumbai, where the costs of living is very high and is repaying personal loan, he is not in a position to pay alimony *pendente lite* at the said rate.

The re-payment of personal loan is no consideration in assessment of the rate of alimony

pendente lite payable to the wife. A sum of Rs.8,000/- per month is the minimum amount to meet the bare necessities of life.

This Court does not find any reason to interfere with the order impugned.

CO 2443 of 2024 is dismissed with no order as to costs.

In view of the disposal of the revisional application, CAN 1 of 2024 has become infructuous and is also disposed of accordingly.

Parties to 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 subject to compliance with all requisite formalities.

(Biswajit Basu, J.)