

03.10.2024

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Ct.No.6

gd/ssd

CRR 3505 of 2024

In the matter of : **Ayan Chatterjee.**

... Petitioner.

Mr. Ashirbad Sarkar

...for the Petitioner.

1. Petitioner/husband has assailed order of interim maintenance to the tune of Rs.15,000/- per month to opposite party/wife.
2. Learned counsel for the petitioner contends the Magistrate erred in law in coming to a finding that his income is to the tune of Rs.2,49,462/- i.e. USD 2678.30/-. It is also contended that the opposite party/wife has income of her own and is not entitled to maintenance.
3. I have considered the materials on record.
4. Opposite party/wife has a meager income of Rs.2,500/- per month, on the other hand, the petitioner earns handsomely and has income not less than Rs.2 lakhs per month.
5. Learned Magistrate after considering the income of the husband and his monthly expenditure as per declaration of assets and liabilities directed a sum of Rs.15,000/- per month to be paid as interim maintenance.
6. Quantum of maintenance is to be assessed keeping in mind the following factors:

(a) Income and liabilities of the husband;

(b) Income and the expenditures of the wife;

(c) Standard of living to which the wife is accustomed.

7. Taking into consideration the aforesaid factors, I am of the opinion meager income of Rs.2,500/- per month cannot disentitle the opposite party no.2/wife to interim maintenance and the quantum fixed is also commensurate to the income of the husband after giving the maximum latitude to the expenditure disclosed by him.

8. Hence the impugned order does not call for interference.

9. Accordingly, the revisional application is dismissed.

(Joymalya Bagchi, J.)