

02.01.2024
Item no. 23
Ct.34
(Suvendu)

C.R.R. 4930 of 2023

In the matter of :- Priyanka Bhattacharya

... Petitioner

Mr. Subhadeep Chatterjee (via vedio conference)

...for the petitioner

The main grievance of the petitioner is against an order dated 27th September, 2023 wherein a direction was passed by the learned Additional District and Sessions Judge, 1st Court, Barrackpore in Criminal Revision No. 509 of 2023.

The subject matter of the grievance is that the award of maintenance was directed to be paid by the learned Sessions Court from the date of the order and not from the date of filing of the main application.

Learned advocate for the petitioner submits that the main application was filed in the year 2020 and the petitioner was suffering for a considerable period of time and as such without assigning any special reasons the learned Sessions Court all on a sudden should not have stalled and/or altered the order passed by the learned Magistrate.

I find that the Criminal Revision No. 509 of 2023 is pending for a considerable period of time and implication of such pendency is falling heavily on the present petitioner who has approached the Court for her sustenance. The quantum of award is also very meager, i.e. Rs. 3,000/- per month.

That being the scenario, I direct the learned Additional District and Sessions Judge, 1st Court, Barrackpore, North 24-

Parganas to dispose of the Criminal Revision No. 509 of 2023 by 15th March, 2024.

The learned revisional Court would take into account the principles and guidelines set out by the Hon'ble Apex Court while dealing with the matters relating to maintenance and the date from which such maintenance is to be awarded.

It is reiterated that the learned revisional Court will not stretch the timeline so directed above.

With the aforesaid observations CRR 4930 of 2023 is disposed of.

Urgent photostat certified copy of this order, if applied for, be given to the parties on usual undertakings.

All parties to act on the server copy of this order downloaded from the official website of this Hon'ble Court.

(Tirthankar Ghosh, J.)