

CRR 668 of 2025

In the matter of: Manish Kumar Jalan

....Petitioner.

Ms. Laxmi Sharma

....for the petitioner

Mr. Apalak Basu

Mr. Nazir Ahmed

....for the opposite party

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner and the opposite party/wife were in a live-in relationship for three years. In 2024 they got married. The wife has an independent income. The opposite party deserted him 02.07.2024. The husband gave a notice on 03.08.2024 to return. After receiving the same, the wife filed an FIR on 10.08.2024. The petitioner received a notice in respect of the proceeding under the Protection of Women from Domestic Violence Act only on 16.11.2024. An execution case has already been started. The petitioner is presently aggrieved with an order dated 07.10.2024 by which an ex parte order of interim maintenance was granted under the said Act. An appeal has been preferred and has been admitted. But, the appellate court only passed an interim order directing payment of a sum of Rs. 1,50,000/- as maintenance allowance instead of the sum of Rs. 2,25,000/- granted by the Magistrate. The order has now been vacated. The documents would clearly show that the petitioner earns only Rs. 40,000/- as salary from a company. Upon query, learned counsel appearing on behalf of the petitioner submits that the company from where he gets the salary belongs to his mother.

Learned counsel appearing on behalf of the opposite party/wife opposes the prayer and submits as follows. The husband earns huge

sums of money from different sources, which would not be less than Rs. 8 lakhs per month. The petitioner has a high-flying lifestyle. He has different companies where he has put his employees and relatives as directors. These deal with media marketing. He is also involved in money marketing. He had even used the petitioner's documents for such purpose. In fact, the petitioner had misused certain pictures of his wife in the social media. In any event, an appeal has already been preferred and an order passed admitting the appeal, although the interim order issued has now been vacated due to non payment. Therefore, the present revision is not maintainable.

A careful perusal of some of the documents referred to by the petitioner shows the opulent lifestyle of the couple. This is indeed quite incompatible with an earning of Rs. 40,000/- per month.

Moreover, it was only upon the Court's query that it was revealed that the petitioner's mother was one of the directors in the company in which he claims to be working.

There are serious allegations leveled against the petitioner by the wife in her complaints.

It appears that the petitioner has already sought relief by filing an appeal as per law against the order passed by the learned Magistrate. The appellate court is *in seisin* of the matter.

The appellate Court has passed a reasoned order after hearing the appellant and filing of documents by him, while admitting the appeal.

In view of the above discussions, I find no reason to interfere with the matter at this stage by altering the interim order passed.

Therefore, the revisional application is disposed of by requesting the learned appellate court to conclude the proceeding in the appeal in accordance with law and as expeditiously as possible.

Urgent photostat certified copy of this order may be supplied to the parties expeditiously, if applied for.

(Jay Sengupta, J.)