

CRR 1517 of 2025

In the matter of: *Saikat Das* ... *petitioner*

Mr. Asis Bhattacharyya
... for the petitioner.

Learned counsel for the petitioner submits that the learned trial court had erroneously passed an order in favour of the petitioner granting interim maintenance to the tune of Rs.2,500/- per month for the opposite party No.2 and Rs.2,500/- per month for the minor child from the date of filing of the application. The order was passed without considering affidavits of assets that should have been called for.

It appears from the appellate order that the learned Sessions Judge perused the order and thereafter allowed the prayer of the petitioner/husband for consideration of interim maintenance on the ground that he was earning poor income. The operation of the impugned order dated 29.09.2022 passed by the learned Judicial Magistrate, 2nd Court at Barasat, North 24 Parganas in connection with C. Case No.107/2021 was stayed till the next date, subject to condition that the petitioner would go on paying the amount of Rs.3,500/- per month to the opposite party No.1

and on further condition that he would pay towards the arrear maintenance of Rs.40,000/-.

Thus, the petitioner shall have adequate opportunity to place his case.

Therefore, I do not find any merit in this application.

Accordingly, the revisional application is dismissed.

There shall, however, be no order as to costs.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of requisite formalities.

(Jay Sengupta, J.)