

D/L- 31  
13/08/2025  
Ct. No.-6  
Aritra

**C.O. 2938 of 2025**

**Samiran Das  
Vs.  
Supriti Mahanti**

Mr. Satrajit Sinha Roy  
Mr. Susmita Adhikary  
Mr. Ashis Bhukta

...for the petitioner

Ms. Supriti Mahanti

....for the opposite party (in person)

This application under Article 227 of the Constitution of India is at the instance of the husband/petitioner and is directed against an order being No.28 dated September 25, 2024 passed by the learned Additional District Judge RD Court, Paschim Medinipur in J. Miscellaneous Case No.20 of 2023.

By the order impugned the application under Section 24 of the Hindu Marriage Act was allowed thereby directing the petitioner/husband to pay a sum of Rs.9000/- per month to the wife/opposite party herein as maintenance *pendente lite*.

The learned advocate appearing for the petitioner submits that the petitioner did not give consent for fixing the alimony at Rs.9000/- per month. She further submits that a direction be passed by the learned Additional District Judge to decide the application under Section 24 of the Hindu Marriage Act afresh.

The opposite party appears in person. She submits that the selfsame order was challenged by the petitioner herein before the Hon'ble Division Bench and the Hon'ble Division Bench refused to interfere with such order.

After going through the materials on record this Court finds that the Hon'ble Division Bench dismissed FMAT 244 of 2025 by an order dated July 14, 2025 upon holding that the same is not maintainable in the eye of law.

Thus, there is no impediment upon this Court to consider the instant civil revision application. However, after going through the order impugned, this Court finds that the application under Section 24 of the Hindu Marriage Act was allowed on consent.

For such reason this Court is not inclined to interfere with such order.

At this stage the learned advocate for the petitioner submits that such consent was not given by the husband/petitioner herein before the learned trial judge.

This Court cannot go into that issue in a civil revision application and the petitioner is left open to take appropriate steps in accordance with law.

With the above observation CO 2938 of 2025 stands disposed of.

There will be no order as to costs.

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

***(Hiranmay Bhattacharyya, J.)***