

21.02.2025
Sl. No.28
akd

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction

C. R. R. 3967 of 2024

In Re: ***Mantu Rana***

... .. Petitioner

Mr. Uday Sankar Chattopadhyay
Ms. Bidisha Chakraborty
Ms. Sadia Parveen

... .. for the petitioner

1. Petitioner-husband has assailed interim maintenance allowance at the rate of Rs.5,000/- per month to opposite party-wife and Rs.3,000/- per month to the minor child.
2. Relationship between the parties is admitted. Revisional court noted petitioner-husband has suppressed material facts in the affidavit of assets disclosed before the jurisdictional Magistrate. Income certificate relied by the petitioner-husband stating he has a meager income of Rs.4,000/- per month also appears to be improbable in light of the nature of assets owned by him viz. a motorcycle, LIC policy etc.
3. Recording these facts, the court came to a finding a meager income of the opposite party-wife is not sufficient to meet her requirements and that of a young growing child. Accordingly, revisional court affirmed the order of interim maintenance at the rate of Rs.5,000/- per month to the opposite party-wife and Rs.3,000/- per month to the minor child.
4. It is trite a party who seeks discretionary relief must come with clean hands. Admittedly, the petitioner-husband has not been fair in disclosing his actual income or his assets before the trial court and the revisional court. Given this situation and taking the necessities of the opposite party-wife as well as the minor child into consideration, quantum of maintenance has been fixed.

5. I do not find any illegality and/or irregularity in the order impugned.
6. Accordingly, CRR 3967 of 2024 is dismissed.
7. Photostat certified copy of this order, if applied for, be given to the petitioner on usual undertaking.

(Joymalya Bagchi, J.)