

CRR 3212 of 2017

Arifa Khatun @ Bibi
Vs.
Dr. Anarul Islam

Mr. Debapriya Samanta
Mr. Suhotro Palit

...for the petitioner.

Mr. Ibrahim Shaikh

...for the opposite party

1. Affidavit-of-service is taken on record.
2. By filing this Revisional Application, petitioner/wife challenged the impugned judgment dated 20.06.2017 passed by the Learned Additional District & Sessions Judge, Lalbagh, District – Murshidabad in Criminal Revision No. 39/16.
3. By the said impugned judgment/order, the learned Judge affirmed the impugned order passed on 29.06.2015 by the learned Judicial Magistrate (Additional Court), Lalbagh in connection with MR Case no. 212/2014 thereby the Learned Trial Court has granted or awarded interim maintenance in favour of the petitioner/wife amounting to Rs. 1000/- per month and Rs. 900/- per month for her minor son. This Revisional Application is pending since 2017.
4. It is submitted by the learned counsel appearing on behalf of the petitioner that till date, the main application filed under Section 125 of the Cr.P.C. has not been disposed of by the Learned Trial Court as yet.

5. On the other hand, learned counsel appearing on behalf of the opposite party/husband submits that the opposite party/husband is paying the said interim maintenance awarded by the Learned Trial Court continuously and there is no due.

6. Considering the stage of the main proceeding and submission made by the parties, and upon perusal of the impugned judgment/orders this Court does not find any error in the concurrent findings of both Courts below. Therefore, there is no reasons to interfere with the impugned judgments.

7. In view of the above facts and circumstances, the Trial Court is directed to decide the main application filed under Section 125 of the Cr.P.C. pending since 2014 in accordance with law independently. The same shall be disposed of as early as possible without granting unnecessary adjournment to the parties keeping in mind the mandate for quick disposal of the maintenance application.

8. In view of the facts, **CRR 3212 of 2017** is thus, disposed of.

9. Interim order, if any, shall stand vacated.

10. Let a copy of this order be communicated to the learned Court below for information and for taking necessary steps.

11. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Ajay Kumar Gupta, J.)