

Item No. 6
19.11.2025
Court. No. 6
GB

C.O. 3896 of 2025

Smt. Gagari Mukherjee @ Gagari Nag Chowdhury
Vs.
Sri Arijit Mukherjee

*Mr. Ramdulal Manna,
Ms. Manju Manna (Dey),
Mr. Sayan Mukherjee*

...for the Petitioner.

1. This revisional application has been filed challenging the order dated July 19, 2025, passed by the learned Additional District Judge, 1st Court at Barasat, North 24 Parganas in Misc. Case No.01 of 2019 arising out of Matrimonial Suit No.116 of 2016.
2. The petitioner is aggrieved by the quantum of maintenance awarded on the following grounds:-
 - (a) After closure of evidence the petitioner had lost her job.
 - (b) The award of Rs.10,000/- for herself and her son, who is studying in Class-X, is inadequate.
 - (c) After the proceedings were closed, the petitioner came to know that the husband was earning more than Rs.1,00,000/-, which he had suppressed.
 - d) The learned court did not clarify whether the amount awarded was over and above Rs. 8000/-, which was already awarded in another proceeding or whether the said amount had been set off.

3. Under such circumstances, it is prayed that this order should be set aside and the amount of maintenance should be enhanced.
4. This Court finds that the reasons assigned by the learned court are reasonable and logical. The court has considered the factors, namely, the status of the parties, the need of the wife and the dependent child, the income of the wife, whether the income of the wife is sufficient to maintain herself, whether the wife was employed prior to her marriage, whether she was working during the subsistence of her marriage, whether she had to sacrifice her career to bring up the child, reasonable cost of litigation for a non-working wife etc.
5. The learned court found that the wife had disclosed material, and had deposed that she had an income of Rs.28,000/- as Sales and Marketing Executive in Watco India. In the affidavit of assets and liabilities, the husband disclosed his income as Rs.85,255/-. The court came to the finding that the income of the wife was not sufficient to maintain herself and the child. The petitioner is also being awarded Rs.8,000/- per month for maintenance of the child in terms of the order passed in a proceeding under Section 125 of the Code of Criminal Procedure. Considering the facts, the court found that an amount of Rs.10,000/- per month for the petitioner and the minor child should be adequate.

6. The issues raised by Mr. Manna, learned advocate for the petitioner are with regard to the subsequent events which according to Mr. Manna justify enhancement of the amount and a clarification of the order. The wife can always pray for enhancement before the learned trial judge on account of changed circumstances. The order of the learned court is not interfered with and it is directed that the husband shall comply with the payment as directed, until further orders are passed on the prayer for enhancement. The prayer for clarification and enhancement if made, shall be decided by the court independently and strictly in accordance with law.
7. The revisional application is accordingly disposed of.
8. Parties are to act on the server copy of this order.

(Shampa Sarkar, J.)