

19.11.2025
SL No.27
Court No.6
(gc)

CO 3940 of 2025

Sri Amit Das
Vs.
Smt. Aradhita Das

Mr. Susanta Paul,
Mr. Jayanta Pandit

...for the Petitioner.

Mr. Gaurav Purkayastha,
Ms. Anju Chakraborty,
Ms. Somali Bhattacharya,
Ms. Megha Das

...for the Opposite Party.

1. The petitioner is aggrieved by an order dated August 29, 2025 passed by the learned Additional District Judge, 1st Court, South 24 Parganas at Alipore.
2. By the order impugned, the learned Court directed maintenance pendente lite at the rate of Rs.40,000/- per month for the wife and Rs.25,000/- per month for the minor son with effect from the date of filing of the application, till the disposal of the Matrimonial Suit No.97 of 2018.
3. The Court further directed that the arrears from the date of filing until the date of the order shall be paid in four equal monthly instalments, in addition to the regular monthly payments.
4. All monthly payments shall be made on or before the 10th day of each month by bank transfer or other verifiable mode. Further, litigation cost of

Rs.50,000/- within three months was directed to be paid.

5. Mr. Susanta Paul, learned Advocate appearing on behalf of the petitioner submits that the Court has acted illegally and with material irregularity in awarding the maintenance. The Court failed to take into consideration that the wife was already earning Rs.16,000/- from her investments and was an income tax assessee. The petitioner/husband was directly paying Rs.13,000/- towards tuition fees of the son. The wife was enjoying the house and did not have to spend money on rent. The wife had an annual income of more than Rs.6 lakhs.
6. Having considered the submissions, it appears that the learned Court took into account the fact that the tuition fees of the son to the tune of Rs.13,000/- was being regularly remitted to the school by the petitioner. Yet, the Court was of the view that the wife and child of a senior official in a reputed multinational company, who resides overseas, was entitled to live in the same standard which he enjoyed and which the wife was enjoying when she was living in her matrimonial home.
7. On such considerations, the learned Court awarded Rs.40,000/- to the wife and Rs.25,000/- to the minor son. The son is in Class-XI and the

award of Rs.25,000/- apart from what the father is already remitting to the school, does not appear to be unreasonable. The son has a future. His educational expenses have gone up. The further educational expenses after he completes Class-XII, may be huge. Under such circumstances, this money can be accumulated by the mother to spend on her son's future. The amount does not appear to be unreasonable. As regards the maintenance awarded to the wife, it appears that a lady who was married to the petitioner should enjoy the same standard and status as the petitioner.

8. From the affidavit of assets submitted by the learned Advocate for the wife it appears that the gross monthly income of the husband is Rs.2,44,655.33 and his net expenditure is more than Rs.1,43,000/-.
9. Under such circumstances, if the husband requires Rs.1,43,000/- to maintain himself, his wife is entitled to a sum of Rs.40,000/- to maintain herself by enjoying a decent standard of living. Considering the inflation rates, the cost of daily expenses, the cost of maintaining a car and a driver etc., the award of Rs. 40,000/- over and above what wife earns from her investments is reasonable and fair.

10. Accordingly, I do not find any irregularity in the order impugned.
11. The revisional application is disposed of without any interference with the order impugned.
12. There shall be no order as to costs.
13. Parties are to act on the server copy of this order.

(Shampa Sarkar, J.)