

24.11.2025
Ct. No. 06
Sl. No.27
skg

C.O. No. 4013 of 2025

Sri Mainak Mitra
Vs.
Smt. Sneha Paul

Mr. Arijit Sarkar,

.....for the petitioner.

1. The petitioner is aggrieved by the order dated August 26, 2025 passed by the learned Addl. District & Sessions Judge, First Track First Court at Barrackpore, North 24 Paraganas in Misc. Case no. 08 of 2025 arising out of Matrimonial Suit no. 811 of 2024.
2. By the order impugned, the learned Court directed maintenance pendent lite at the rate of Rs.15000/- per month for the wife and the minor child, from the date of the filing of the application. A lump sum amount of Rs.25000/- towards admission of the child was directed along with the litigation cost of Rs.10000/-. The arrears were directed to be cleared within 12 months commencing from the 10th of the month on which the order was passed. The husband contends that at the time the affidavit of assets was filed, he was not in employment, whereas, the wife contended that the husband was working in the IT sector and was earning Rs.2 lakh per month, as an IT professional.

The fact that the husband was not employed at the relevant point of time was taken note of by the court. At present, the husband is gainfully employed. The court came to the conclusion that an able bodied person was liable to maintain his wife and child. The court took note of the fact that the wife was not earning any money and as such awarded the sum as discussed hereinabove. Rs. 15000/- for the wife and minor child does not appear to be excessive, Rs.10000/- as litigation charge is reasonable. Award of Rs.25000/- as one time measure for the admission of child, is just.

3. Under such circumstances, the court does not find any reason to interfere with the order impugned.
4. The husband seeks an opportunity to file a revised affidavit of assets. In my opinion, once the Misc. Case has been disposed of with the above directions by the learned Trial Judge, the question of reopening the issue does not arise. If the husband pays the money as directed by the court, the Matrimonial suit shall proceed in accordance with law.
5. The revisional application is accordingly dismissed. There shall be no order as to costs.
6. Parties are to act on the server copy of this order.

(Shampa Sarkar, J.)