

10.04.2026
Court No. 12
Item No. 14
Sandip

IN THE HIGH COURT AT CALCUTTA
SPECIAL CIVIL JURISDICTION
APPELLATE SIDE

R.V.W. 07 of 2026
In
C.O. 4089 of 2025

Nabanita Mondal
-Versus-
Sisir Mondal

Md. Ashraful Huq,
Mr. Sarwar Jahan,
Mr. Satyam Mukherjee
.....for the applicant/petitioner

- 1) This Court is not inclined to allow this application for review.
- 2) Mr. Satyam Mukherjee, learned advocate for the applicant submits that the applicant had actually prayed for reimbursement of expenses which she had incurred when the child was a minor. The matter could not be argued properly when the civil revision was heard.
- 3) Although the daughter has now attained majority and is working very well, the money that was awarded by the learned Court, at a lumpsum of Rs. 75,000/-, for expenses during her childhood was inadequate. Learned Advocate further submits that the documents produced before the learned Court by the petitioner in support of the claim, were not considered.
- 4) The records reveal that in a proceeding under Section 125 CrPC, Rs. 5,000/- per month was also awarded to the wife and the child.

5) The Court recorded that the said amount was being paid by the husband, for the maintenance of the daughter.

6) I find that the application for maintenance pendente lite does not mention the quantum of expenditure incurred for the daughter during her childhood. The submissions of the parties recorded by the learned Court, also do indicate that the prayer of the applicant was for reimbursement of the expenses incurred during the minority of the daughter. In such case the amount had to be accordingly quantified.

7) Moreover, both the parents were working and they were both liable to maintain the child, at the relevant point of time. Whether the amount allowed by the learned court in a proceeding under section 125, Cr.P.C. was inadequate for the daughter is not available from the pleadings.

8) The extent of expenses incurred by the petitioner in bringing up the child has not been averred. Under such circumstances, the petitioner is not entitled to seek review of the order passed by this Court.

9) However, it was always open to the petitioner to approach the learned trial Judge in accordance with law, by filing an appropriate application. Admittedly, when the application for maintenance was filed the daughter was a minor, but by the time the application was disposed of the daughter had attained majority. Thus, circumstances had changed when the application was disposed of.

10) This order shall not be construed as the opinion of this court to the effect that the wife is entitled to an enhanced amount.

11) The learned trial Judge will decide independently, if approached by the petitioner upon contested hearing.

12) Accordingly, the application for review is dismissed.

13) Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(Shampa Sarkar, J.)