

04.02.2026
Court No. 06
Item No. 01
Sandip

IN THE HIGH COURT AT CALCUTTA
CIVIL REVISIONAL JURISDICTION
APPELLATE SIDE

C.O. 1740 of 2025

Subhra Talukdar
-Versus-

Sri Sudipta Talukdar

Mr. Indranuj Dutta,
Mr. Atanu Basu,
Ms. Benazir Sk.

.....for the petitioner

Mr. Sukumar Majumdar

....for the opposite party

- 1) Affidavit of service filed on behalf of the petitioner is taken on record.
- 2) The petitioner is aggrieved by an order dated March 05, 2025 passed by the learned Additional District Judge, 7th Court at Alipore, District – 24 Parganas (South) in Misc. Case No. 561 of 2022 arising out of Matrimonial Suit No. 1649 of 2022.
- 3) By the order impugned, the learned Court directed payment of Rs. 10,000/- per month as maintenance pendente lite to the petitioner from the date of filing of the Misc. case.
- 4) Learned advocate for the wife, submits that the law is well settled that the learned Court is required to assess the maintenance pendente lite on the yardstick of various expenses which the wife has to incur for her own maintenance. Secondly, the wife must enjoy the same position and status which she was enjoying during the subsistence of the

marital relationship and the standard of living should be the same as the husband.

5) It appears from the affidavit of assets filed by the husband that he is the owner of a proprietorship concern, a showroom namely Express Auto in T. N. Mukherjee Road, Dankuni. He has two residential addresses. He spends Rs. 50,000/- in litigation. He has income from other sources.

6) Under such circumstances, the wife is entitled to enjoy the same status. Although she is residing with her parents, while granting maintenance pendente lite the court must take into account the expenses towards rent. Her stay with her parents, in her parental home, cannot be a permanent solution. Under such circumstances, the wife should be able to maintain herself from the alimony pendente lite that is awarded by the Court by bearing expenses towards rent, food, clothes, medicines travel etc.

7) It is submitted by the learned advocate for the opposite party that more than Rs. 30,000/- is being spent on the daughter.

8) Under such circumstances, I direct that a sum of Rs. 13,000/- per month must be paid towards maintenance pendente lite to the petitioner/wife from the date of filing of the misc. case. Such amount shall be tendered month by month, every month, within 10th of each succeeding month according to English Calendar. The regular monthly maintenance to be paid to the wife shall begin from February 2026. Payment for February, 2026 should reach the wife within 10th March, 2026. The

said payment shall be made by bank transfer and thereafter month by month, every month. The learned advocate-on-record for the wife will hand over the account details to the learned advocate for the opposite party here and now. The arrear from November 2022 to February 2026, shall be liquidated in six equal monthly instalments. First of such instalments shall be paid along with the maintenance for the month of February and thereafter month by month every month till the entire arrear is liquidated. Fraction, if any, will be added to the last instalment. In default, the petitioner is at liberty to pray for execution.

9) Accordingly, the revisional application is disposed of without any order as to costs.

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

(Shampa Sarkar, J.)