05.10.2026
Serial nos. 19
[AN]
Ct. No. - 39

CRR/3013/2026

In re : An Application under Section 482 of the Code of Criminal Procedure, 1973

-And-

In the matter of : Bidhan Chandra Mondal

… … Petitioner.

Mr. Souvik Ganguly

… for the petitioner

1. This revisional application has been filed at the behest of the Petitioner, who is the husband of the opposite party no. 2, seeking restoration of the conditional stay granted against the order of maintenance allowed by the learned trial court to the tune of Rs. 12,000/- p.m. in Misc. Case No. 211/22 passed by the learned District & Sessions Judge, Rampurhat, Birbhum, in Cr. Revision No. 14/2024. He alternatively prays for expeditious disposal of the revisional application pending before the learned Additional District Judge, Rampurhat, Birbhum.

2. Learned advocate appearing for the petitioner submits that the learned trial court ignored the actual income of the present petitioner. The learned trial court considered his income as Rs. 30,000-35,000/- although his actual income was Rs. 16,297/- in the month of January, 2024 and in the month of January, 2026 his income increased to Rs. 17,382/- post statutory deductions. He also appended some salary

slips in the revisional application. He prays for stay of the order passed by the learned trial court; otherwise, he would suffer greatly, as the maintenance allowed by the learned trial court is higher compared to the income of the present petitioner.

3. Learned advocate appearing for the petitioner further submits that while filing the written objection, he was unaware of the actual contents and averments made in the written objection.

4. Having regard to the facts and circumstances of the case and the submissions of the petitioner, this Court finds that the revisional application is still pending before the learned District & Sessions Judge, Rampurhat, Birbhum for its disposal. When a revisional application is pending for disposal before the learned Sessions Judge, this Court should not enter into the merits of the case and allegations made by the petitioner herein. Be that as it may, the alternative prayer for expeditious disposal of the revisional application pending before the learned District & Sessions Judge, Rampurhat, Birbhum is simple and innocuous. If such prayer is allowed by this Court, none of the parties will be prejudiced or suffer any loss. Furthermore, there is no legal impediment to allow such prayer for expeditious disposal of the revisional application. Therefore, service of notice upon the opposite parties is hereby dispensed with.

5. The learned trial judge is directed to dispose of the Cr. Revision No. 14/2024 as expeditiously as possible since there

are several execution cases pending on the basis of maintenance allowed by the learned trial court. All further proceedings initiated after passing of the maintenance amount are stayed for the period of two months from the date of passing of this order, subject to the condition that the petitioner shall continue to pay maintenance to the tune of Rs. 10000/- per month. In default of even a single month, the execution cases would be revived for disposal in accordance with law.

6. Accordingly, **CRR 3013 of 2026** stands **disposed of** with the above observation.
7. Connected applications, if any, also stand disposed of.
8. Interim order, if any, stands vacated.
9. Let a copy of this order be communicated to the learned trial court for necessary compliance and also to the opposite party no.2 for information by the petitioner herein.
10. All concerned parties shall act on the server copy of this order duly downloaded from the official *website* of this Court.
11. The concerned Department is directed to supply urgent certified Photostat copy of this order to the parties, if applied for, upon compliance of all necessary formalities.

(Ajay Kumar Gupta, J.)