

16.02.2026
Item No.33
Court No.30
CHC
(disposed of)

In The High Court at Calcutta

Civil Revisional Jurisdiction

Appellate Side

C.O. 2975 of 2023
IA NO: CAN/2/2026

Suman Dutta @ Suman Datta
Vs.
Smt. Suparna Basu Datta

Mr. Saibalendu Bhowmik, Advocate
Mr. Rajsekhar Basu, Advocate
Ms. Srilekha Chattopadhyay, Advocate
...for the petitioner

1. Affidavit-of-service filed in Court be kept with the record.
2. This revisional application has been preferred being aggrieved by the order no.30 dated 31.07.2023 passed by the Learned Additional District Judge, 10th Court, Alipore, South 24 Parganas in Misc. Case No.300 of 2017.
3. Vide the impugned order, learned Trial Court was pleased to direct as follows:-

“that the instant Misc Case be and the same is allowed in part on contest without costs. The O.P. Suman Dutta @ Suman Datta is directed to pay to the petitioner Suparna Basu Datta Rs.15,000/- (Rupees fifteen thousand) only p.m as maintenance pendent lite from the date of filing of the application u/s 36 of the Special Marriage Act. The arrear maintenance pendente lite has to be paid in five monthly installments starting from August 2023.

The monthly current maintenance pendente lite has to be paid within 7th day of each month through bank transfer to the petitioner.

The O.P shall pay to the petitioner Rs.20,000/- (Rupees twenty thousand) as one-time litigation costs. The litigation costs has to be paid within 15th August, 2023.

To 06.12.2023 for P. Hearing of the suit.”

4. The opposite party did not appear in spite of due service.
5. Heard learned counsel for the petitioner. On perusal of the materials on record, this Court finds that, an interim order was passed by the Court staying further proceeding in Misc. Case No.300 of 2017, on the condition that the petitioner shall continue to pay maintenance at the rate of Rs.8,000/- per month along with litigation cost.
6. It is stated that litigation cost has been paid and petitioner is continuing to pay Rs.8,000/- as maintenance every month.
7. It appears from the impugned order that admittedly the opposite party/**wife is a primary school teacher** under the Government of West Bengal and has a monthly income of more than Rs.31,000/-, and other properties.
8. The parties have no children. The Misc. Case has been allowed and disposed of by the Trial Court.

9. Accordingly, as the opposite party has not contesting the revisional application, the same is disposed of by directing that the husband shall continue to pay Rs.8,000/- per month until further orders to be passed in the Matrimonial Suit.
10. The Trial Court is directed to make all endeavour to dispose of the Matrimonial Suit expeditiously.
11. C.O. 2975 of 2023 along with connected application is disposed of.

(Shampa Dutt (Paul), J.)