

22.6.2026
Ct. no. 6
S/L.8
Samarpita

IN THE HIGH COURT AT CALCUTTA
CIVIL REVISIONAL JURISDICTION
(Appellate Side)

C.O. 4350 of 2025

Jayasree Ghosh
-Vs-
Joydeb Ghosh

Mr. Satyam Mukherjee

...for the petitioner.

Md. Y. Mondal

... for the Opposite Party

1. Affidavit of service filed in Court today is taken on record.
2. This revisional application is directed against an order dated November 11, 2025 passed by the learned Additional District Judge Fast Track, 2nd Court at Barasat, North 24 Parganas, in Misc. Case No. 5 of 2023, filed in connection with Matrimonial Suit No. 138 of 2022, whereby, the opposite party has been directed to pay a sum of Rs. 2,000/- (Rupees Two Thousand) for the wife and Rs. 1,500/- (Rupees One Thousand and Five Hundred) for the minor son as *alimony pendente lite* per month and Rs. 3,000/- (Rupees Three Thousand) as one time as litigation cost.
3. Matrimonial Suit No. 138 of 2022, has been instituted by the opposite party praying for a decree for divorce against the petitioner, under Section 13 of the Hindu Marriage Act, 1955.

4. In the said suit, the petitioner filed an application under Section 24 of the 1955, Act praying for *alimony pendente lite*. The petitioner contended that the petitioner was jobless and that she needed funds to maintain herself and her child who is presently 14 years old.
5. The opposite party contested the said Misc. Case by filing a written objection. Both the parties filed their affidavits of assets and liabilities. Having considered the respective cases of both the parties in the light of the affidavits of assets and liabilities, the learned Trial Court has arrived at a finding that the petitioner should be paid a sum of Rs. 2,000/- (Rupees Two Thousand) for her own maintenance and 1,500/- (Rupees One Thousand Five Hundred) for the maintenance of her minor son.
6. It is not in dispute that the petitioner is presently getting a sum of Rs. 3,500/- (Rupees Three Thousand Five Hundred) per month towards *alimony pendente lite* which includes the amount of Rs. 2,500/- (Rupees Two Thousand Five Hundred) directed by the learned Magistrate in a proceeding under Section 125 of the Code of Criminal Procedure, 1973.
7. Mr. Satyam Mukherjee, learned advocate appearing for the petitioner submits that, the learned Trial Court has committed a serious error in directing payment of a paltry sum of Rs. 2,000/- (Rupees Two Thousand) for the petitioner and Rs. 1,500/- (Rupees

One Thousand Five Hundred) for the child, despite the petitioner earning Rs. 14,522/- (Rupees Fourteen Thousand Five Hundred and Twenty Two) per month and the petitioner having found to have no income.

8. It is submitted that it cannot be denied that the parties have fourteen years old son, who is presently studying in Class Eight in a private school, at Bongaon.
9. It is submitted that the petitioner is unable to make both ends meet with the said sum.
10. Mr. Mondal, learned Advocate appearing for the opposite party submits that, the learned Trial Court has passed order upon considering the material on record and the same cannot be faulted.
11. Heard learned advocates for the respective parties and considered the material on record. The learned Trial Court has upon considering the evidence adduced by the parties reached the conclusion that the opposite party is earning Rs. 14,522/- (Rupees Fourteen Thousand Five Hundred Twenty Two) and that the opposite party has capacity to maintain his wife i.e. the petitioner and the child.
12. This Court notes that the opposite party has shown expenses of his dependant brother who is 70% physically disabled to be Rs. 4,000/- (Rupees Four Thousand). Such aspect has not been denied by the petitioner. But at the same time, it cannot also be lost sight of that in today's age of cost escalation, a sum of

Rs. 3,500/- (Rupees Three Thousand Five Hundred) would be too meager to maintain two lives.

13. Having regard to the fact that the petitioner's admitted income is Rs. 14,522/- (Rupees Fourteen Thousand Five Hundred Twenty Two) and that the petitioner has expenses to the tune of Rs. 4,000/- (Rupees Four Thousand) towards his dependant brother, this Court is of the view that a sum of Rs. 3,000/- (Rupees Three Thousand) for the wife/petitioner and Rs. 2,000/- (Rupees Two Thousand) for the son ought to be paid instead of the earlier amounts indicated by the learned Trial Court.
14. Accordingly, the order dated November 11, 2025 is modified and the *alimony pendente lite* is enhanced to the Rs. 3,000/- (Rupees Three Thousand) for the petitioner and Rs. 2,000/- (Rupees Two Thousand) for the minor son to be paid monthly by the opposite party to the petitioner. This order will take effect from the date of filing of the revisional application i.e. December 11, 2025. The amount that will fall in arrears for the month of December 2025 to the month of June 2026 shall be paid by seven equal instalments in seven months from date. The monthly *alimony pendente lite* as directed by this order shall be paid in terms of the schedule fixed by the learned Trial Court i.e. within the 7th day of each month.
15. It is submitted by the learned advocate appearing for the petitioner that arrears of *alimony pendente lite* in

terms of the order impugned have not yet been paid. Learned advocate for the opposite party submits that he is not sure during the pendency the same has been paid or not. It is clarified that the arrears of *alimony pendente lite* as directed by the learned Trial Court by the order impugned should be paid in terms of the said order if not already paid.

16. With the aforesaid observation, **C.O. 4350 of 2025** stands disposed of. There shall be no order as to costs.
17. Urgent photosat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Om Narayan Rai, J.)