IN THE HIGH COURT AT CALCUTTA
CIRCUIT BENCH AT JALPAIGURI
CIVIL APPELLATE JURISDICTION
APPELLATE SIDE

Present:
The Hon'ble Justice Debangsu Basak

C.O. 124 of 2024

Sri Amit Bansal @ Agarwal
Vs.
Smt. Tripti Agarwal

For the Petitioner	**:** Mr. Bikramaditya Ghosh Mr. Ved Rai Mr. Mayank Bhandari Mr. Vivek Saha Mr. Binayak Bandhopadhyay
For the Opposite Party	**:** Mr. Hillol Saha Podder Ms. Mousumi Das
Heard & Judgment on	**: January 9, 2026**

<u>Debangsu Basak, J.:-</u>

1. Revisional application is directed against Order No. 16 dated June 14 of 2024.

2. By the impugned order, learned Trial Judge fixed the quantum of maintenance to be paid by the petitioner to his wife.

3. Learned advocate appearing for the petitioner submits that, there is no basis for the learned Judge to arrive at the quantum fixed for maintenance. He refers to the evidence produced before the learned Trial Judge. He submits that, the petitioner is mainly a salesman earning about Rs.50,000/- per month. The learned Trial Judge granted Rs.50,000/- as maintenance for the wife and Rs.25,000/- to the child. The aggregate quantum is Rs.75,000/-. The income of the petitioner is not more than Rs.50,000/- for the petitioner to pay a sum of Rs.75,000/- as maintenance.
4. Opposite party is represented.
5. Opposite party filed a proceeding for maintenance which was registered as Misc. Case No. 29 of 2023.
6. In such maintenance proceeding, evidences were adduced by the parties.
7. Learned Trial Judge assessed and quantified maintenance on the basis of the evidences led by the parties. Learned Trial Judge was pleased to rely upon the evidence of the opposite party with regard to the income of the petitioner and proceeded to quantify the maintenance payable.
8. There is a child born out of the wedlock between the petitioner and the opposite party. Child requires maintenance also. Child is presently with the opposite party.

9. Nothing is placed on record to suggest that the view taken by the learned Trial Judge with regard to the quantification of the income of the petitioner and award of the maintenance is perverse.

10. Petitioner produced bank account statements before this Court in order to substantiate the income of the petitioner. Bank statements so produced disclose that substantial amounts of credits were made in the bank account at the relevant point of time. Such credits are sought to be explained on the ground as remittance from the non-banking financial corporation for the loans which the petitioner obtained from time to time.

11. This contention of the petitioner is preposterous. Petitioner claims to obtain loans from NBFC and it is the claim of the petitioner that the substantial amounts deposited in his bank account are the credits of such loans. It is not understood as to how a NBFC to whom the petitioner owes money would be crediting amounts in the bank account of the petitioner. The plausible view is that the credit entries are returns on investments that the petitioner made. The other plausible inference is that the petitioner suppressed his actual income before the Trial Court.

12. The stand of the petitioner before this Court is thoroughly unreliable. Apart from the claimed income as a salesperson, there are other incomes of the petitioner.

13. In such circumstances, I find no material irregularity in the order impugned.

14. **C.O. 124 of 2024** is **dismissed**.

(Debangsu Basak, J.)

S.D.