

02-02-2023
Subha
Item no.164
Ct no.34

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction

CRR 3482 of 2022

Mithun Sarkar
-versus-
Mampi Majhi & Anr.

Mr. Arindam Jana
Mr. Shahan Shah
Mr. Soumen Barman
....for the petitioner.

Mr. Jana, learned advocate appearing for the petitioner has challenged the Judgement and Order passed in Criminal Motion/Revision No. 19 of 2022 by the learned Additional Sessions Judge, Fast Track, 1st Court, Krishnagar, Nadia.

The grievance of the petitioner is that the learned Judicial Magistrate awarded maintenance to the tune of Rs.3000/- per month from the date of the filing of the application i.e., 03.12.2018. The learned Additional Sessions Judge in a revisional application enhanced the same to Rs.21,000/- from the date of the filing of the application.

Learned advocate for the petitioner submits that the enhanced quantum would cause hardship to the present petitioner.

Without going into the merits of the case, I am of the opinion that so far as the quantum is concerned, the same would be considered at the time of final hearing of the application.

Petitioner is directed to serve a copy of the revisional application upon the private opposite party no. 1 by speed post with

acknowledgement due and upon the opposite party no.2 through the Office of the learned Public Prosecutor, High Court, Calcutta and file affidavit of service on the next date fixed for hearing.

Let the revisional application appear under the heading “Contested Application” in the month of April, 2023.

Pending hearing of the revisional application, the petitioner will go on paying a sum of Rs.21,000/- as directed by the learned Sessions Court on and from the month of July, 2022.

So far as the arrears are concerned, the same for the time being should be paid and cleared on the quantum so awarded by the learned Magistrate.

All concerned parties are to act in terms of a copy of this order duly downloaded from the official website of this court.

[Tirthankar Ghosh, J]