15.10.2026
Court No.34
Sl. No.6
sg

CRR 2583 of 2021

In the matter of : **Suparna Das(Biswas)**

..Petitioner.

Mr. Manas Kumar Das
Mr. Asraf Mondal

…for the petitioner.

Mr. Atis Kumar Biswas
Mr. Amit Singh

…for the opposite party no.2.

1. This matter has come at the instance of the petitioner/wife against an order dated 17.02.2022 passed by the learned Additional District and Sessions Judge, Nadia in criminal revisional application no. 2/20 thereby stayed the order passed by the learned Additional Chief Judicial Magistrate, Tehatta in Misc. Case no. 6 of 2018 filed under Section 127 of the Criminal Procedure Code whereby an interim direction was given to the husband to pay Rs. 11,000/-per month to the petitioner instead of Rs. 15,000/-

2. The case of the petitioner as found from the materials on record it transpires that parties got married on 28.4.2007 by following Hindu Rites and Rituals subsequently marital discord cropped up between the parties and the petitioner/wife was driven out from her matrimonial house .

3. Petitioner is not an earning lady and having no source of income but she was not provided with any maintenance by her husband and hence compelled to file an application under Section 125 of Cr.P.C.. Since the husband was working in the Indian Army having an earning of Rs. 55,000/- salary, the husband did not pay a single farthing to the petitioner/wife. Learned ACJM, Tehatta after hearing both the parties passed an order allowing an amount of maintenance of Rs. 5,000/- per month in her favour in the year 2013.

4. Petitioner further filed an application for enhancing of such maintenance amount in the year 2017 and the learned Court directed to pay enhanced amount of Rs. 7,000/- per month from Rs. 5,000/- per month. Similarly in 2020 the present petitioner filed another application for enhancement and the said the amount was increased to Rs. 15,000/- per month.

5. Opposite party herein challenged that order and filed the criminal revisional application before the learned Court of Additional Sessions Judge, Tehatta, Nadia.

6. On 17.2.2021 the learned Court after hearing both the parties stayed the order giving direction to the husband to pay the amount of Rs. 15,000/-and further reduced the amount from Rs. 15,000/- to Rs 11.000/-per month as directed by the learned Court of ACJM.

7. Being aggrieved thereby present petitioner has come before this Court since the said revisional application is still pending for disposal and husband/opposite party also did not complying the order of the Learned Additional Session Judge and or the direction passed by learned ACJM, Tehatta, Nadia.

8. Considering the rival contentions and the facts and circumstances of this case, this Court is of the view that the criminal revisional application pending before the Learned court of Additional District and Session Judge is required to be disposed of at an earliest.

9. According direction is given to the concern Court to dispose of the revisional application at an earliest preferably within December, 2026, after giving liberty of hearing to both the parties.

10. The opposite party/husband is directed to continue with the payment of Rs. 11,000/- as directed by the learned Additional Session Judge Tehatta, Nadia. In default execution case which has been filed by the present petitioner will proceed further in accordance with law.

11. It is pertinent to mention herein that this court has not entered into the merit of the case.

12. Accordingly revisional application stands disposed of.

13. All parties shall act on the server copies of this order duly downloaded from the official website of this Court.

[Chaitali Chatterjee (Das), J.]