

02-02-23

Aggrieved woman Smti Minuwara Parbin and respondent Sri Jiarat Ali are present. The respondent side has vide petition 333/23 prayed for another date for filing their written statement. Heard and allowed.

Heard the learned Counsels of both side on the matter of interim maintenance.

The respondent as aforesaid has not denied the fact that the aggrieved woman is his wife or that he and the aggrieved woman have one daughter together but the respondent has objected to the interim maintenance being given to the aggrieved woman and her child as allowing interim maintenance would cause financial hardship on the respondent because he does have regular income from earning his livelihood as a e – rickshaw driver.

The aggrieved woman has stated that she and her daughter have been facing financial hardship to maintain their day to day life.

Interim maintenance allowances are made so that a party might have some financial support until final order has been passed. The respondent has not disputed the fact that aggrieved woman is his wife or that they have a daughter together. It is seen by the Court that the respondent is an able bodied person and moreover he has not claimed that he suffered from disability of any kind so as to relieve him of his moral and legal obligation to maintain his wife and his daughter. Also it has not

been claimed by the either side that the aggrieved woman has sufficient income of her own.

In view of the aforesaid discussion I am of the opinion that an order of interim maintenance of Rs. 1200.00 (Rupees One Thousand and Two Hundred only) per month to Miss Meheka Parbin, the daughter of the aggrieved woman and of Rs. 600.00 (Rupees Six Hundred only) per month to the aggrieved woman as interim maintenance from the date of this order will meet the ends of justice in the instant case. The aggrieved woman may receive the interim maintenance allowance on behalf of her minor daughter.

The respondent is directed to pay the total amount of interim maintenance allowance of Rs. 1800.00 (Rupees One Thousand and Eight Hundred only) per month as aforesaid to the aggrieved woman and her daughter from the date of this order until any further order.

Fixing:-**15-02-23** for written statement / affidavit of disclosure of assets and liabilities by the respondent side / payment of interim maintenance.

S.D.J.M. (S), Nalbari.