

**In the Court of Ld Judicial Magistrate, 6th Court,
Asansol, Paschim Bardhaman**

**Present : Ms. Misha Mrinaya
Judicial Magistrate,
6th Court, Asansol, Paschim Bardhaman.**

Misc Case No. 371 of 2022

CNR- WBB16-017397-2022

T.R.-390/22

Priya Bagdi

v.

Janardan Bagdi

Date of delivery of Order : 05.04.2023

Today is fixed for passing of interim order.

Both parties have filed hazira.

The facts of the case is that the petitioner's marriage to the opposite party (hereinafter referred to as the OP) was solemnised on 08.05.2021 as per Hindu rites and rituals. That the petitioner's father gave cash worth Rs. 1,00,000/- (one lakh only) to the opposite party at the time of marriage and Rs. 50,000/- to buy a motor cycle in addition to other jewelry, clothes, furniture and appliances as dowry.

Within one month of marriage the OP started demanding further dowry and they started torturing her for the same. The petitioner's parents tried to succumb to those demands but were unable to fulfill all of it. She states that the matter settled intermediately for a temporary duration but eventually the mental and physical abuse continued. Ultimately on 04.06.2022 the petitioner was driven out of her matrimonial home after immense abuse. The petitioner states that the OP works as a security head in SKY Protection Pvt. Ltd. and also is a gym trainer from where he earns Rs. 30,000/- and Rs. 8000/- respectively. She is unemployed and has no source of income. Therefore she is seeking a maintenance of Rs. 15000/- per month from the OP.

The OP had denied all the allegations levelled by the petitioner. He has stated that the petitioner on her own will left the house and did not return despite much coaxing. The OP states that he never neglected her and has an income of Rs. 5000/- only from Fitness Free Gym. The petitioner earns Rs. 15000/- by way of tuitions. He therefore prays for rejection of this petition.

I have perused the record have gathered that the OP is an able bodied young man skilled as a gym trainer. After perusing the record, taking into *prima facie* consideration the arguments presented by both the parties, and the relevant documents attached with the record concerning the jewelry receipts purchased by the petitioner that she claims to have been given as dowry and all the other facts of the case, I am of the

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opinion that the petitioner is entitled to an interim maintenance of Rs. 5000/- (Five thousand only) from the OP. This, in my opinion, is a decent amount for her to maintain herself and look after her expenses for the interim period.

Hence it is

Ordered

That the O.P is directed to pay monetary maintenance to the petitioner at the rate of Rs. 5000/- (Five Thousand only) per month by the 10th Day of each succeeding month of the English Calendar month failing which petitioner shall be at liberty to realize the same as per law. This order is effective from the date of filing this case.

Let a copy of this order be handed over to the petitioner free of costs.

Typed and corrected by me.

To fix date 17-07-2023 for evidence.

J.M, 6th Court, Asansol
J.O. Code: WB01526

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