



38/2025

by
[Signature]

IN THE COURT OF LD. JUDICIAL MAGISTRATE(1ST CLASS) AT NABADWIP, NADIA.

M.R (EXE.) CASE NO: 38 /2025

Petitioner :- Sri Swapan Debnath, Aged about 68 years
S/o- Late Piyari Mohan, *Debnath*,
Of- Charmajdia, Uttar Para,
P.O.- C.B. Nagar, P.S.- Nabadwip,
Dist.- Nadia, Pin- 741301
Vs.

Opp. Party :-
1) **Sri Dipak Debnath**, Aged about- 40 years,
1) **Sri Tanmay Debnath**, Aged about- 35 years,
S/o- Sri Swapan Debnath,
Of- Charmajdia, Uttar Para,
P.O.- C.B. Nagar, P.S.- Nabadwip,
Dist.- Nadia, Pin- 741301

Petition on behalf of the Petitioner
U/S 125(3) Of Cr.P.C.

MOST RESPECTFULLY SHEWETH :-

- 1) That the petitioner has filed M.R Case No. 11/2023 in this Ld. court as per sec.125 Cr. P.C along with a Petition for interim maintenance.
- 2) That on 10/03/2025 the Ld. Court has passed an Interim Order directing the Opp. Party No.1 to Pay Rs. 9,000/- (Nine thousand only) Per month and Opp. Party No.2 to Pay Rs. 6,000/- (Six thousand only) Per month to the Petitioner.
- 3) That the Opp. Parties did not pay any money to the Petitioner and the Petitioner will get Rs. **(15,000/- x 2 months)= Total Rs. 30,000/- (Thirty thousand only)** from the Opp. Parties for the 02 (Two month) i.e. **10/03/2025 to 10/05/2025**.
- 4) That it is therefore, Prayed that Your Honour would be graciously pleased to pass an Order directing the Opp. Parties to Pay Rs. **(15,000/- x 2 months)= Total Rs. 30,000/- (Thirty thousand only)** to the petitioner or pass such other order or orders as Your Honour thinks fit and proper. And as in duty bound your Petitioner shall ever pray.

Encl: A Xerox copy of Order is being enclosed herewith.

VERIFICATION

Verified that the above statements have been written as per my version and the same are true to my knowledge and I sign this verification on 21/05/2025.

38/2025
Identified by me
[Signature]

Mr Maintenance/11/2023

Present : Preetha Mukherjee,
Judicial Magistrate,
Nabadwip, Nadia.

CNR No. WBND 060002122023
JO Code WB01445

Swapam Debnath Vs Dipak Debnath and Tanmoy Debnath

Order date 10/03/2025

Today is fixed for exparte hearing of interim petition.

Petitioner files hazira.

O.P files a petition praying for vacating exparte order dated 24/12/2024.

Heard.

Allowed.

Order dated 24/12/2024 is hereby vacated. O.P is directed to pay Rs. 1000/- to the petitioner for the hardship caused to her.

The record is taken up for passing interim order.

The case of the petitioner in brief is that he is the father of the O.P. According to the petitioner, his wife had expired on 06/04/2022 and after that the O.Ps inflicted physical and mental torture upon the petitioner. The petitioner stated that the O.Ps pressurized him to transfer his own house in the name of the O.Ps and when they refused to accept their proposal, the O.Ps obstructed them to enter into his own house and threatened him. Then on 10/11/2022 at about 9.30 p.m, the O.P assaulted him and took away many valuable articles from the house of the petitioner as a result of which he had filed a case being Nabadwip P.S case No. 536/22. Later, the O.P No. 1 had also filed a criminal case being Nabadwip P.S Case No. 609/22 against the petitioner. The O.P had also filed a civil case against the petitioner being T.S No. 208/22 which is still pending. According to the petitioner, he is an aged person having no source of income. Petitioner has also submitted that the O.Ps are able bodied person and O.P No. 1 has a restaurant "Aahar" and O.P No. 2 engages in private service from which they earn Rs. 45,000/- per month and Rs. 30,000/- respectively. Petitioner has claimed Rs. 15,000/- per month from the O.P No. 1 and Rs. 10,000/- per month from the O.P No. 2 for himself (Total Rs. 25,000/- per month) as interim maintenance.

O.P. appeared on 05/09/2024 and he filed written objection. The O.P has denied all the allegations made by the petitioner. O.Ps has further stated that after the demise of their mother i.e the wife of the petitioner, the petitioner has engaged in an illicit relationship with another woman. The O.Ps further claimed that the petitioner is a rich person and owner of restaurant and lodge from which he has monthly income of Rs. 1 lakh. On the other hand, the O.Ps are mere labourers and they are unable to give any maintenance to the petitioner and the petitioner has filed this case against them in order to harass them.



25/5/2025

VAKALATNAMA

2552

In the Court of Mr. J. M. Nabadwip

MIL Case No. (25) / 25.

Gopam Debbarh,
s/o. Late Piyari Mohan Debbarh,
of Charnojdia, Uttarpara,
P.O. Nabadwip,
Dist. Nadia.

Know all men by these presents that by Vakalatnama, I/We appoint the Advocates noted below or any one of them my / our lawful Advocate in the above
for filling the memorandum or appeal or petition of entering appearance matter for appearing in conducting and arguing the same for deposit or withdrawing any money in connecting there with for moving the Court in any matter connected there with, for prepare in the paper book in the case, and for putting in papers, petitions etc. On my / our behalf for filing taking back any documents for withdrawing suits or appeals or petitions with permission to institute fresh suit etc. For signing and filing petitions of compromise in connections with the said matter and for taking copies of paper from the Record and I/We further say that any act. Done by my/our said Advocates or by any one of them after accepting this Vakalatnama, shall be considered as my / our true and lawful act.

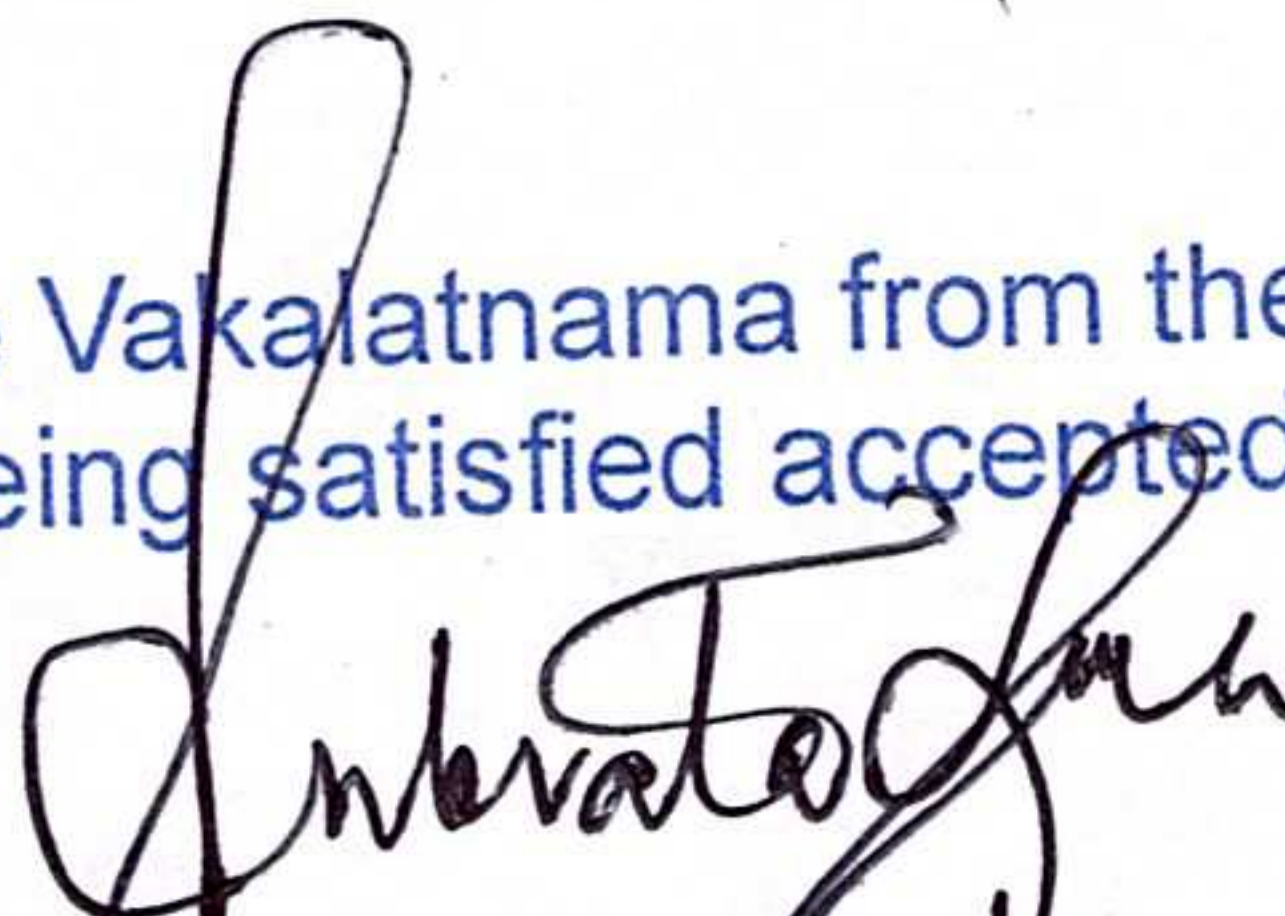
And / further hereby agree and undertake to pay the said Advocate his or their fees as settled and all other sums that may be necessary to carry out the requisition of the Court and otherwise to enable the said Advocates to conduct the case properly. Failing which the said Advocates after notice to me/us will be at liberty to withdraw from the further conduct to the case.

IN WITNESS WHERE OF I/WE sign and execute this Vakalatnama on this the

25/5 day of May 2025

Received the Vakalatnama from the
executant(s) and being satisfied accepted by me

1)


Advocate
En.No 15/934/06

Accepted as above

Accepted as above

2)

Advocate
En.No

3)

Advocate
En.No

