

In the Court of Additional District & Sessions Judge,
2nd Court, Sealdah, South 24 Parganas
Criminal Revision 67 of 2024
CIS No.67 of 2024
Present: Sri Abir Chatterjee, Additional Dist. & Sess. Judge.
Judicial Officer's Code : WB00833

Order Number 3 dated 12.02.2025

Case record is placed before me.

Postal receipt along with track report is filed which discloses that item delivered to sender meaning service was not satisfactory.

One application seeking stay of the operation of the order dated 11.11.2024 is moved.

Documents filed as per list.

Heard Ld. advocate for the petitioner.

The revisional application has been directed against the order of interim maintenance dated 11.09.2024 by Ld. J.M., 2nd Court, Sealdah in M Case 62 of 2023 granting Rs.7,500/- per month towards maintenance in aggregate favour of the O.P. / wife and minor child.

It was submitted that petitioner / revisionist / husband is not in the financial health to carry out the order and unless the same is stayed serious prejudice will ensue. That petitioner / husband is a daily wage earner and barely makes Rs.8,000/- per month. A certificate from the employer was enclosed.

Perused the impugned order. The certificate of income filed today does not support the quantum of the interim maintenance award. Hence scope of interference and or modification of the impugned order can be appreciated. At this stage, a case for granting of conditional stay is made out.

Hence, it is,

ORDERED

that let there be a stay of the operation of the impugned order till the next date on condition that petitioner / revisionist / husband will continue payment of Rs.3,000/- per month in favour of the O.P. / wife and Rs.2,000/- in favour of the minor child aggregating Rs.5,000/- per month.

It is also made clear that the payment aforesaid should be made within the 10th of every English Calendar Month, starting from March, 2025. The payment for February 2025 to be cleared within 25th of February by deposit in the trial Court. The order of conditional stay will stand vacated automatically upon failure to make the payment as aforesaid.

Trial court will be at liberty to proceed with the main application by recording the evidence and by giving chance of hearing to both sides. It is made clear that only the operation of the interim order has been conditionally stayed.

To **07.05.2024** for S/R and hearing of revisional application. Steps in the meantime.

Dict. & Corr. by me,

Addl. Dist. & Sess. Judge, 2nd Court,
Sealdah.

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Sealdah.