

**Crl.Motion 152 of 2024**

Order No :03

Dated 06.05.2024

Today's date is fixed for hearing .

The petitioner/revisionist is present with an application praying for stay of the operation of the impugned order of maintenance so far as the arrear maintenance is concerned.

Heard the Ld. Adocate of the petitioner/revisionist.

Perused the impugned order of maintenance passed by the Ld. J.M. 3rd ourt, Damond Harbour in Misc.Case No.21/19 u/s.127 Cr.P.C. Ld. Maistrate dispoed of the said application u/s.127 Cr.P.C. and directed the opposite party/revisionist to pay enhanced maintenance @ Rs.10,000/- per month with effect rom the date of filing of the Misc. Case.

Indisputedly in the original maintenance case the revisionist was directed to pay maintenance @ Rs.8,000/- per month. Thereafter, an amount of Rs.2,000/- per month has been enhanced by the Ld. Magistrate through the proceeding u/s.127 Cr.P.C. filed by the wife/opposite party No.1 herein.

The propoerty and legality of the impugned order having been challenged in this revision, it is expedient to stay the operation of the impugned order only to the extent of the payment of arrear maintenance subject to the condition that the revisionist/husband shall go on paying the currecnt maintenance at the enhanced rate of Rs.10,000/- per month.

With the condition above, the application filed by he revisionist is hereby disposed of.

The order of stay shal stands vacated if the petitioner/revisionist fails to pay the currecnt maintennce @ Rs.10,000- per month.

The case is adjourned.

To 05.07.24 for S.R.,A/D, LCR and appointment of Ld.P.P. in charge.

Addl. Sessions Judge  
II FTC, Diamond Harbour