

M-27/2024  
Regd No.-27/2024  
**JO Code: WB01068**

Order dated: 08.01.2025

Today is fixed for passing order.

Both parties file their respective haziras.

The application for interim maintenance is taken up for passing order.

Perused the petition, the WO filed by both the OPs, and other materials on record and documents filed by the parties.

It appears from the record that the petitioner filed his petition claiming maintenance for himself from his two sons.

The petitioner is the father of the OPs.

During hearing ld advocate for the petitioner submitted that the opposite parties do not reside with the petitioner and are neglecting to maintain the aged petitioner.

On the other hand ld advocate of the OP submitted that the petitioner drove them out of his house as a result the opposite parties were compelled to live at their respective matrimonial home and also that the petitioner has sufficient landed properties to maintain himself.

The OP has filed copy of some documents regarding the property of the petitioner.

Both parties brought allegations and counter allegations against each other which cannot be decided without taking evidence.

Neither party filed any document of the income of the OP or the petitioner. In view of the economic condition of our country, it can be said that a person can earn Rs.9,000/- to Rs. 10,000/- per month by working as a labour in different private organization or in Govt scheme or even by running small business. Therefore the OP can earn said amount even by working as labour.

Considering the above discussion, I am inclined to allow the petitioner's petition and in view of the present economic condition of our country, if the opposite parties be directed to pay Rs.1200/- each per month for the petitioner, as interim maintenance, none will be prejudiced.

Hence it is,

**ORDERED**

That the interim maintenance petition of the petitioner is hereby allowed.

The petitioner is entitled to get Rs.1200/- per month from each of the opposite parties hence Rs. 2400/- per month for himself, as interim maintenance from the date of filing of the case.

The opposite parties are directed to pay Rs.1200/- each per month to the petitioner, hence total Rs. 2400/- per month as interim maintenance, month by month, within 7<sup>th</sup> day of each succeeding English calendar month from the date of filing of the case till disposal of the case. In default, the petitioner is at liberty to realize the same through court.

Let a copy of this order be given to the petitioner free of cost.

To 11-04-2025 for evidence.

D/C by me

Sd/-

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ACJM-cum-CJSD, Kakdwip

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