

M-111/2024
Regd No.-111/2024

JO Code: WB01068

Order dated: 05.05.2025

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 and other materials on record and documents filed by the parties.

It appears from the record that the petitioner filed her petition claiming maintenance for herself and for her two minor children.

The marriage and paternity of children are admitted by the OP.

During hearing ld advocate for OP submitted that the OP is driven out of his house by the petitioner and the petitioner and her children has been possessing on the house and properties of the OP at present. The petitioner did not allow the OP to enter and stay at his house.

On the other hand ld advocate for the petitioner submitted that the OP got second marriage. Both parties brought allegations and counter allegations against each other which cannot decided without taking evidence.

Neither party filed any document of the income of the OP or the petitioner. The OP has filed a copy of his job card. 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 party be directed to pay Rs.2000/- per month for the petitioner and Rs. 1500/- per month each for two children of the petitioner, hence total Rs. 5000/- per month, 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. 2000/- per month for the petitioner and Rs. 1500/- per month each for two children of the petitioner, hence total Rs. 5000/- per month per month, as interim maintenance from the opposite party from the date of filing of the case.

The opposite party is directed to pay Rs. 2000/- per month for the petitioner and Rs. 1500/- per month each for two children of the petitioner, hence total Rs. 5000/- per month per month to the petitioner as interim maintenance, month by month, within 7th day of each succeeding English calender 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 10-06-2025 for evidence.

D/C by me

Sd/-

Sd/-

ACJM-cum-CJSD, Kakdwip

ACJM-cum-CJSD, Kakdwip