

M-372/2024
Regd No.-372/2024

JO Code: WB01068

Order dated: 15.11.2025

Today is fixed for passing order.

Both parties are present by filing hazira.

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.

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

During hearing ld advocate for the OP submitted that the petitioner is not legally married wife of the OP.

On the other hand ld advocate for the petitioner submitted that the OP is the husband of the petitioner and the petitioner previously filed a maintenance case against the OP being no. M-12 of 2014 and the said case was compromised between the parties and the petitioner had returned to her husband's house.

During hearing the OP has not denied the fact of filing and disposal of the previous case on the ground of compromise. Hence, as the previous case was compromised between the parties I am not inclined to accept the contention of the OP regarding legality of the marriage. The said matter shall be considered at the time of passing judgment after 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 party be directed to pay Rs. 1500/- 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. 1500/- per month for herself as interim maintenance from the opposite party from the date of filing of the case.

The opposite party is directed to pay Rs. 1500/- per month for the petitioner as interim maintenance, month by month, within 7th 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 06-03-2026 for evidence.

D/C by me

Sd/-
ACJM-cum-CJSD, Kakdwip

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