

Before the Ld. Judge Family Court , Jhargram

MR Case No. 122/2025
Present: Sri Debapriya Basu
Judge Family Court Jhargram

Order No. 06 dated 23/12/2025

Today is fixed for order in respect of petitioner's prayer for interim maintenance dated 29/06/2024.

Record is taken up for order.

Petitioner Chunu Gowala along with her husband Chakradhar Gowala initiated the present case against the present OP Ranjit Gowala who is one of the son of the petitioner. After death of petitioner husband she has become the sole petitioner.

According to the present petitioner the present OP is one of her son, the petitioner at present has no capacity to earn, she was neglected by the OP. Even the OP used to physically assault her. Further according to her, in spite of the fact that OP has landed property and sufficient income, he refused to maintain the petitioner.

The OP contended the prayer by filing WO, wherein the OP denied all material allegations made against him, on the contrary he mentioned that the petitioner was always acted with cruelty towards the OP and his family members for which he was compelled to institute different proceedings against her mother and his elder brother. Further according to him the present petitioner, conspiring with her another son intentionally brought the present prayer only to harass the present OP. It has also been contended that the petitioner has sufficient landed property, is able to maintain her and living happily with her elder son whereas the OP with a meagre income is struggling to maintain his wife and two daughters. Another aspect is that though it has been argued that court of SDO, Jhargra for dismissed the claim of maintenance in favour of the petitioner, yet no such order has been filed by the O.P.

It is fact that after death of her husband the petitioner has not made any amendment of the cause title or has not bring the same fact into record, but in a maintenance procedure like this such technicalities can not be any bar when mother is claiming interim maintenance against her son.

I have gone through the petition and objection, also considered the contentions of both sides. This is a prayer of interim maintenance filed by the mother. Certainly whether the petitioner has sufficient property to maintain her can not be a ground of refusal of interim maintenance when the petitioner mother is aged more than 70 years age and her husband died being an octogenarian.

In view of the above mentioned discussion, it is,

ORDERED

that the petitioner's prayer for interim maintenance dated 29/06/2024 is allowed on contest O.P Ranjit Gowala is directed to pay rupees 2,000/- pm in favour of the petitioner Chunu Gowala.

The O.P Shall pay each month's interim maintenance within 10th day of the succeeding month.

This ordered of interim maintenance would take effect from date of filing of the prayer that is 29/06/2024. The arrear amount for the period from 29/06/2024 till 30/11/2025 is to be cleared by O.P in equal installment of rupees 1,000/- along with current month's maintenance until the same gets cleared.

To 06.03.2026 for evidence.

Judge, Family Court,
Jhargram

J.O. Code: WB 00677