

Before the Ld. Judge Family Court , Jhargram

MR. Case No. 20/2024 (R-27/2024)

Present: Sri Debapriya Basu
Judge Family Court Jhargram

Order No 08 dated 17/01/2026

Today is fixed for hearing of interim maintenance petition. Both sides are ready. Heard both sides in full.

Petitioner Baisakhi Bera has instituted the present case against her husband Dhrubapada Bera claiming maintenance for herself and her minor son, Kanchan Bera. In such case on 26.03.2025 she has filed the present prayer claiming interim maintenance.

According to her she was married to OP on 10.03.2023 which was subsequently registered on 06.04.2023. After marriage she was treated with cruelties at her matrimonial home specifically for want of more dowry. OP used to pressurize her to bring more Rs.2 lacs for his business. She was also got physically assaulted by OP and even while she was pregnant OP used to put her out of the room and used to lock the room from inside. As petitioner failed to provide further Rs.2 lacs to OP as such she was driven out of her matrimonial home on 01.11.2023 while she was pregnant for which she was compelled to take shelter at her paternal home and while so leaving she gave birth of her son on 20.02.2024. She further stated that OP though instituted a matrimonial suit for restitution of conjugal rights yet while attempting settlement through Lok Adalat OP clearly on 05.07.2024 stated that she would not take back the petitioner and lead matrimonial life.

According to petitioner she has no income of her own while the OP previously used to work at a school at Ghatsila but by leaving such employment now he is doing seasonal business earning about Rs.30,000/- per month. Besides that he also has agricultural land and earns Rs.10,000/- per month from agriculture. Be it mentioned that OP has not kept any information not sent any farthing for their maintenance.

OP contested the case by filing written objection. In his written objection after admitting the marriage and parentage of the child he denied all material allegations made against him in the petition. According to him the petitioner used to threaten the OP by saying that she would commit suicide and also used to hurl abusive language towards mother of the OP. He was also forced to lead a life of domesticated son-in-law, she never took care of OP or his mother. Further according to him the petitioner has left the matrimonial home voluntarily without any reason and thus she is not entitled to get any order of interim maintenance. Lastly, according to him he only earns around of Rs.6,000/- working as daily labour on the other hand, the petitioner earns around of Rs.10,000/- per month by doing private tuition.

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Marriage has been admitted by petitioner and also he has not denied a parentage of the petitioner's son. It is also admitted position that the petitioner was staying apart from the OP while she was pregnant and thereafter gave birth of her minor son. It is true that petitioner stayed only for few months at her matrimonial home with OP and led matrimonial life. Only by taking evidence it can be determined as to what necessitated her to leave the matrimonial home or whether she was actually driven out from her matrimonial home. Whatever be the actual fact, the petitioner gave birth of her son while she was staying at her paternal home. It may be the fact that OP instituted a suit for restitution of conjugal rights but it is also a glaring truth that OP has failed to show anything that he bore any expenses of birth of petitioner's son or even he has provided a farthing for maintenance of his child. According to Ld. Court, conduct of OP in this regard was not at all desirable. I find no reason as such to disallow the prayer for interim maintenance.

Considering all aspects it is

ORDERED

that the petitioner's prayer for interim maintenance is allowed. OP Dhrubapada bera is directed to pay Rs.2,000/- each for the petitioner and her minor son in total Rs.4,000/- as interim maintenance and he shall pay each month's as interim maintenance to the petitioner Baisakhi Bera within 10th day of succeeding month.

This order of interim maintenance would take effect from the date of filing of the prayer and the arrear amount of interim maintenance for the period from 26.03.2025 till 31.12.2025 is to be cleared of by OP @ Rs. 2,000/- per month along with current month's interim maintenance.

To 17.03.2026 for evidence.

Judge, Family Court,
Jhargram
J.O. Code: WB 00677