

GAHC010079662023



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THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : Crl.Rev.P./165/2023

BARNALI TALUKDAR
D/O BIBEKANANDA TALUKDAR, HOUSE NO. 37, NABARUN PATH, JATIYA,
GUWAHATI-781006, KAMRUP (M), ASSAM

VERSUS

DEEP JYOTI KALITA
S/O LATE CHANDI CHARAN KALITA, FLAT NO. 1B, ABODE ENCLAVE,
GITNAGAR, P.O.-BAMUNIMAIDAM, PIN-781021, KAMRUP (M), ASSAM

Advocate for the Petitioner : MR. K BHATTACHARJEE, MS. A BARMAN

Advocate for the Respondent : MR. P K MAZUMDAR,

BEFORE
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA

ORDER

Date : --19.11.2025

Heard Mr. K. Bhattacharjee, learned counsel appearing for the petitioner.
Also heard Mr. P. K. Mazumdar, learned counsel appearing for the respondent.

2. The only question that is to be determined in this Criminal Revision

Petition, as to whether, the order of payment of maintenance should be made effective from the date of the order or from the date of the application.

3. Mr. Bhattacharjee, learned counsel appearing for the petitioner has submitted that it is a settled position of law that the maintenance to be paid from the date of the application.

4. Mr. Mazumdar, learned counsel appearing for the respondent has also agreed to that but Mr. Mazumdar, prays for 3 months of time to pay the arrears.

5. After hearing both sides, the prayer of Mr. Mazumdar, learned counsel for the respondent is allowed.

6. 3 (Three) months time is granted to pay the arrear is of rent to be calculated from the date of the application.

7. List the matter again on 09.03.2026.

JUDGE

Comparing Assistant