

GAHC010215052023



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

Case No. : Crl.Rev.P./418/2023

ABUL ALI
S/O LATE MAINUDDIN ALI
A RESIDENT OF VILL- NO. 1 JALAH
P.O. CHANGSARI, DIST. KAMRUP, ASSAM

VERSUS

THE STATE OF ASSAM AND ANR
TO BE REP. BY THE PP, ASSAM

2:TAYABBA SULTANA
W/O ABUL ALI
D/O MD. AJGAR ALI
VILL- NO. 1 JALAH
PO. CHANGSARI
DIST. KAMRUP
ASSAM
PIN-781101
PRESENTLY RESIDING AT
C/O SRI DILIP BORA
NEAR KALI MANDIR

TETELIA
P.O. AND P.S. JALUKBARI
DIST. KAMRUP (M)
ASSA

Advocate for the Petitioner : MR. M A I HUSSAIN

Advocate for the Respondent : PP, ASSAM

**BEFORE
HONOURABLE MR. JUSTICE MRIDUL KUMAR KALITA**

ORDER

25.09.2023

Heard Mr. M.A.I. Hussain, learned counsel for the petitioner. Also heard Mr. B. Sharma, learned Additional Public Prosecutor, appearing for the State of Assam.

This application under Section 397 read with Sections 401 and 482 of the Code of Criminal Procedure, 1973 has been preferred by the present petitioner, namely, Abul Ali impugning the order dated 09.08.2023 passed by learned Court of Principal Judge, Family Court-II, Kamrup (M), Guwahati in F.C.(Crl.) Case No. 519/2021, directing the petitioner to pay an interim maintenance allowance of Rs. 15,000/- per month to the respondent No. 2 and her minor daughter till the disposal of the pending case before Family Court.

Issue notice to the respondents.

As the learned Additional Public Prosecutor received notice on behalf of respondent No. 1, no formal notice need to be issued to respondent no. 1. As regards, respondent No. 2, the petitioner shall take steps for issuance of notice on respondent No. 2 through registered post with A/D within 3(three) days from the date of this order.

The notices are returnable on 09.11.2023.

Let this matter be listed accordingly on 09.11.2023.

The interim prayer of the petitioner shall be considered after service of notice on the respondent No2.

JUDGE

Comparing Assistant