

AD - 3
Ct No.16
16.02.2026
(SSS)

FA 185 of 2022
with
CAN 1 of 2022
with
CAN 4 of 2025

Saranjit Kaur (Hura)
Vs.
Inder Singh Hura

Mr. Uday Shankar Chatterjee,
Mr. Suman Sankar Chatterjee
.....For the appellant.

Mr. Kallol Basu,
Mr. Atreya Chakraborty
...for the applicant in CAN 4 of
2025 and respondent in FA 185 of
2022.

Mr. Atreya Chakraborty
...For the applicant/respondent
in CAN 4 of 2025.

1. CAN 4 of 2025 is an application for vacating/modification of the order dated May 15, 2023, whereby an amount of Rs.15,000/- per month was directed to be paid by the respondent/husband to the petitioner/wife, as maintenance for the wife as well as the then minor son of the parties.

2. Learned counsel for the respondent/petitioner submits that in the meantime, the son has attained majority and as such, is no longer entitled to maintenance. Secondly, it is argued

that at the time of passing of the order, it was suppressed by the appellant/wife that she was acting as a civic volunteer and had an income per month.

3. However, learned counsel for the respondent/husband, in his usual fairness, points out further that the salary of the husband has now increased to Rs.63,000/- per month.

4. Learned counsel appearing for the appellant/wife opposes the application and submits that the son of the parties, although attained majority, is still a student of Class 12 and is about to take his board examinations. Thus, the said son's educational expenses should also be considered while granting alimony.

5. Keeping on balance the requirements of the appellant/wife and the respondent, we find that although the son of the parties has since attained majority, the expenses for the education of the son is being borne by the appellant/wife, with whom the said son is living. Hence, although technically the son of the parties is no longer entitled to maintenance, we deem the education expenses of the son to be included in the expenses incurred by the appellant/wife and as such, do not find any merit in the contention of the respondent that the alimony should be reduced on such ground.

6. Insofar as the income of the appellant/wife as a civil volunteer is concerned, we do not consider the same to be a material suppression, since the earning of a civic volunteer is not enough for the wife to maintain herself and her son.

7. Furthermore, we take into account the enhancement of the salary of the husband in the meantime.

8. Taking into consideration the above factors, there is no scope of modification of the order of alimony passed earlier.

9. In such view of the matter, CAN 4 of 2025 is dismissed on contest without any order as to costs.

10. CAN 1 of 2022, the original alimony application, is also disposed of by making the ad interim order dated May 15, 2023 absolute and directing the respondent/husband to go on paying alimony for the appellant/wife at the rate of Rs.15,000/- per month till disposal of the appeal. We are apprised that the appeal is ready for hearing.

11. Accordingly, let the appeal be listed for hearing in the monthly list of March, 2026.

(Sabyasachi Bhattacharyya, J.)

(Supratim Bhattacharya, J.)