

37. 15.09.2025
Court
No.29. (Pritam)

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION**

CRR 2198 of 2025

In the matter of: - **Sanjay Bhattacharyya @ Sanjoy Bhattacharya.**
.....petitioner.

Mr. Subhajit Chatterjee.
...for the petitioner.

Being aggrieved and dissatisfied with the order dated September 4, 2023, the present application has been preferred by the petitioner/husband. Opposite party/wife preferred an application under Section 12 of the Protection of Women from Domestic Violence Act, 2005 seeking monetary relief and the trial court after hearing the parties granted interim maintenance of Rs.7,000/- per month against the petitioner/husband. Being aggrieved by the order, the husband/petitioner herein preferred Criminal Appeal No.110/2023 and the court below by the impugned order dated September 4, 2023 dismissed the criminal appeal and thereby affirmed the order of the learned Magistrate.

Being aggrieved by that order, the learned advocate for the petitioner submits that the order itself states that the husband being a civic volunteer, earns Rs.9,000/- per month as fixed salary but both the courts below without considering the financial status, awarded Rs.7,000/- per month, which is

excessive and not at all justified in the facts and circumstances of this case.

Having heard learned counsel for the petitioner, the application is admitted.

The petitioner is directed to serve a copy of the application upon the opposite party no.2 through speed-post intimating the next date of hearing and file affidavit-of-service on the returnable date.

Let the matter be listed in the Monthly List of December 2025.

The learned advocate for the petitioner prays for stay of the impugned order dated September 4, 2023.

Having heard learned counsel for the petitioner and that the petitioner has made out an arguable case, which requires adjudication the impugned order dated September 4, 2023 is stayed on condition that the petitioner shall go on paying Rs.5,000/- per month from the date of filing of the application within 10th of each succeeding calendar month, failing which the order of stay shall be automatically vacated.

(Dr. Ajoy Kumar Mukherjee, J.)