

18
21-11-2024
Ct. No.34
b.das

CRR No. 2375 of 2024

In the matter of :Sarita Kumari & Anr. ... petitioners.

Mr. Sagnik Chatterjee
Mr. Sayan Mukherjee
Mr. Biswajit Das ...for the petitioners.

Mr. Abdur Rakib
Mr. Saikat Chatterjee
Mr. M. Mehendi ...for the opposite party.

Affidavit of service and supplementary affidavit submitted by the petitioners are taken on record.

The petitioners who are the wife and son of the private opposite party are aggrieved by the order passed by the learned Judicial Magistrate, 2nd Court, Durgapur on 19th March, 2024 in Misc. Case No.275 of 2023 granting interim maintenance for the minor son/2nd petitioner to the tune of Rs.4,000/- per month.

Learned counsel for the petitioners takes this Court to the affidavit of assets filed by the private opposite party before the learned Trial Court wherein he has disclosed his monthly income to be Rs.6,000/- on being employed as Supervisor cum store keeper in Maa Babla Kali Caterer.

The petitioners have produced an application filed by the opposite party before the GST authority seeking

cancellation of his GST with effect from 1st January, 2024, that is, after the complaint was lodged.

A certificate of enlistment issued by the concerned authority also indicates that he is the owner of a retail medicine shop.

Learned counsel submits that a false affidavit has been sworn by the private opposite party before the learned Court and on the basis of which a meagre amount of maintenance of Rs.4,000/- per month was granted.

Learned counsel for the opposite party seeks to use an affidavit in opposition in this matter. Affidavit in opposition be filed within two weeks from date. Affidavit in reply, if any, be filed within a week thereafter.

Let the matter appear under the heading “Contested Application” in the monthly list of January, 2025.

The opposite party shall continue to pay Rs.10,000/- per month for the minor child/2nd petitioner till disposal of the revisional application.

(Suvra Ghosh, J.)