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CRR No. 4768 of 2024

In Re: Sri Madhur Agarwal

Mr. Apalak Basu

Ms. Anita Chakraborty

Uneeza Ali

... For the Petitioner

The petitioner who is the husband of the opposite party is aggrieved by the judgment and order of the learned Additional Sessions Judge, 10th Court, Alipore delivered on 6th September, 2024 in Criminal Motion no. 7 of 2024 affirming the order of the learned Judicial Magistrate, 4th Court, Alipore, dated 10th October 2023 in Misc. Case no. 358 of 2022 directing the petitioner to pay interim maintenance to the opposite party to the tune of Rs.10,000/- per month from the date of filing of the application.

Learned counsel for the petitioner submits that the opposite party earns much more than Rs.6,000/- per month as stated by her in her application and has sufficient means to maintain herself. On the contrary, the petitioner is saddled with several liabilities and the amount of Rs.10,000/- directed to be paid to the opposite party amounts to terrible hardship of the petitioner.

It appears from the material on record that the matter needs to be heard on merits.

The petitioner is directed to serve copy of the application along with annexure thereto upon the opposite party and file affidavit of service on the adjourned date.

Let the matter appear under the heading 'Contested Application' in the monthly list of March, 2025.

The judgment and order delivered on 6th September, 2024 passed by the learned Additional Sessions Judge, 10th Court, Alipore in Criminal Motion no. 7 of 2024 and the order dated 10th October, 2023 passed by the learned Judicial Magistrate, 4th Court, Alipore in Misc. Case no. 358 of 2022 be stayed subject to the petitioner continuing to pay Rs.10,000/- per month to the opposite party with effect from December, 2024 till the disposal of the revisional application. The amount for the month of December shall be paid within 7 days from date and the maintenance for the subsequent months shall be paid within 7th day of each month.

Since learned counsel for the petitioner submits that an execution case has been registered for execution of the order impugned, the execution case be stayed till 31st March, 2025 or until further orders, whichever is earlier subject to the petitioner continuing to pay the amount of maintenance as stated earlier.

Urgent certified website copy of the order, if applied for, be given to the parties on compliance of requisite formalities.

(Suvra Ghosh, J.)