



Serial No. 19
Regular List

HIGH COURT OF MEGHALAYA
AT SHILLONG

Crl. Petn. No. 98 of 2021 with
Crl. M.C. No. 74 of 2021

Date of Decision: 16.11.2022

Shri Kinath Sangma

Vs.

Smti. Sunilla Sangma

Coram:

Hon'ble Mr. Justice W. Diengdoh, Judge

Appearance:

For the Petitioner/Appellant(s) : Mr. P. T. Sangma, Adv.

For the Respondent(s) : Mr. S. Deb, Adv.

i) Whether approved for reporting in Law journals etc.: Yes/No

ii) Whether approved for publication in press: Yes/No

ORDER (ORAL)

1. The petitioner has come before this Court by way of this instant criminal petition under Section 482 Cr.P.C being aggrieved by the order dated 01.12.2021 passed by the learned Chief Judicial Magistrate, Williamnagar, East Garo Hills District in Maintenance No. 2 of 2020 wherein the petitioner was directed to pay maintenance amount of ₹ 30,000/- (rupees thirty thousand) only per month to the respondent/wife.



2. Heard Mr. P. T. Sangma, learned counsel for the petitioner who has submitted that without going into the merits of the case if the impugned order can be set aside and quashed, the learned Trial Court may be directed to allow the parties to re-agitate the issue of quantum of maintenance to be paid to the respondent herein.

3. The learned counsel for the respondent has not opposed the submission made by the learned counsel for the petitioner and has also submitted that the impugned order may be set aside and quashed and the issue of quantum of maintenance amount may be re-agitated before the learned Trial Court. It is further submitted that by virtue of this Court's order the petitioner was directed to pay an interim maintenance of ₹ 10,000/- (rupees ten thousand) only per month to the respondent herein, which may be continued pending disposal of the case between the parties before the learned Trial Court.

4. On consideration of the submission made, without proceeding into the merits of this application, the joint submission of the parties is hereby considered and the same accepted.

5. Accordingly, the impugned order dated 01.12.2021 (supra) is hereby set aside and quashed.

6. The matter is remanded to the Court of the learned Chief Judicial Magistrate, Williamnagar, East Garo Hills District to decide afresh the case



of maintenance between the parties, particularly on the quantum of maintenance to be paid to the respondent herein.

7. In the meantime, as prayed for, the petitioner is directed to regularly pay the interim maintenance of ₹ 10,000/- (rupees ten thousand) only per month to the respondent herein till disposal of the said case before the learned Chief Judicial Magistrate.

8. With the above, this petition is hereby disposed of. No costs.

9. In view thereof, Crl. M.C. No. 74 of 2021 also stands disposed of.

Meghalaya
16.11.2022
"Tiprilynti-PS"



Judge