



HIGH COURT OF MEGHALAYA
AT SHILLONG

Crl.Petn.No.64/2025

Date of Order: 23.02.2026

Shri Abhinab Sharma

..... Petitioner

Vs.

Smti. Bellina M. Marak

..... Respondent

Coram:

Hon'ble Mrs. Justice Revati Mohite Dere, Chief Justice

Appearance:

For the Petitioner : Mr. M.L. Nongpiur, Adv

For the Respondent : Mr. S. Dey, Adv with
Ms. E. Dkhar, Adv

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

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

JUDGMENT: (Oral)

Heard learned counsel for the petitioner and learned counsel appearing for the respondent.

2. By this petition, the petitioner has impugned the orders dated 30th July, 2025 and 3rd September, 2025, passed by the learned Judicial Magistrate First Class, West Garo Hills District, Tura, in CR Case No.32 of 2024. Vide order dated 30th July, 2025, which was ex-parte, the learned Judge directed the petitioner to pay ₹15,000/- per month to the respondent and the



child and vide order dated 3rd September, 2025, the petitioner was directed to clear all arrears from the date of order i.e., from 30th July, 2025.

3. Considering the nature of dispute and the relationship between the parties i.e., the petitioner and the respondent, being husband and wife, the parties were referred for mediation. It appears that in the mediation, the petitioner agreed to pay ₹6000/- for the child-Yash. It is the respondent contention that she had not agreed to the said amount.

4. Learned counsel for the petitioner states that the impugned order dated 30th July, 2025 was an ex-parte order, without hearing the petitioner. He submits that by the said order, the petitioner has been directed to pay ₹15,000/- to the respondent every month and that the said amount was to be paid by the disbursing authority where the petitioner was working. At this stage, learned counsel for the petitioner states that the ex-parte order be set aside and that the matter be remitted to the trial court for fresh consideration. In addition, learned counsel for the petitioner states, that the petitioner without prejudice to his rights and contentions, is ready to pay



₹6000/- per month instead of ₹15,000/- to the respondent from 30th July, 2025, as directed vide order dated 3rd September, 2025.

5. Learned counsel for the respondent on the instructions of the respondent, who is present in Court, states that the respondent also without prejudice to her rights and contentions is ready to accept ₹6000/- per month, since she is in dire need of money.

6. Learned counsel for the respondent states that the respondent has not received the entire arrears and has received only a small amount. At this stage, learned counsel for the petitioner states that the petitioner will deposit whatever are the arrears directly in the respondent's account within two weeks from today. Statement made by the learned counsel for the petitioner is accepted.

7. In view of the aforesaid and without going into the merits of the order dated 30th July, 2025, passed by the learned Chief Judicial Magistrate First Class, West Garo Hills District, Tura (ex-parte order), the said interim order dated 30th July, 2025



stands quashed and set aside and CR Case No.32 of 2024, i.e., the interim application is restored back to its original file. The learned Chief Judicial Magistrate First Class, West Garo Hills District, Tura to decide the said interim application after hearing the petitioner and the respondent. Till the interim application is heard, without prejudice to the contentions of either of the parties, the petitioner shall regularly pay ₹6000/- to the respondent every month i.e. on (1st Monday of the month).

8. The petition is allowed and disposed of on the aforesaid terms.

9. It is made clear that this petition has not been heard on merits and as such, all contentions of all parties on merits are kept open. It is also made clear that the petitioner shall not seek adjournments and will cooperate with the learned Judge in disposing of the interim application expeditiously.

(Revati Mohite Dere)
Chief Justice

Meghalaya
23.02.2026
"Lam DR-PS"