

29.09.2020
Ct. No.19
Sl. No.21
KS

**IA NO: CRAN 1 of 2020
With
C.R.R. 1376 of 2020**

**Suparna Sarkar represented by Purnima Dey
-Vs.-
Omkar Sarkar @ Madhab Sarkar & Anr.**

(Via Video Conference)

Mr. Jaydeep Kanta Bhowmik

.....For the Petitioner

The advocate for the petitioner undertakes to affirm and properly stamp the petition as per the Rules within one month of resumption of normal functioning of the court. The petition is taken up through video conference on the basis of such undertaking.

This is an application under Section 482 of the Criminal Procedure Code seeking expeditious disposal of a maintenance proceeding registered as Misc. Case No.46/2020 under Section 125 of the Code of Criminal Procedure.

Learned advocate appearing for the petitioner submits that in the year 2020 a maintenance proceeding was initiated claiming maintenance allowance for the minor daughter of the opposite party-husband. A prayer for ad interim maintenance was also advanced to prevent starvation of the minor issue of the opposite party-husband.

Learned advocate appearing for the petitioner also submits that because of the Pandemic situation, the normal functioning of the Court has been disturbed, and in consequence thereof the petitioner seeking interim maintenance could not be taken up for hearing by the Trial Court rendering the minor daughter to face extreme financial distress. Since, an expeditious direction has been sought for, which in the perception of this Court, is nothing but innocuous in nature, the same may be addressed to keeping in view the extent of infection of Covid – 19, which surfaced all over the country including the present State. Notice upon the opposite party no.1 has not been served, but the direction that will be recorded in this case will not subject the opposite party-husband to suffer any prejudice in any manner whatsoever. Service upon the opposite party-husband is thus dispensed with.

Learned JM, 2nd Court, Jalpaiguri in connection with Misc. case No.46 of 2020 under Section 25 of the Criminal Procedure Code is directed to at least dispose of the prayer for ad interim maintenance in an expeditious manner in accordance with law after resumption of normal functioning of the Court. The court reposes confidence upon the Trial Court which would sincerely put his best effort to dispose of the prayer for ad interim maintenance to prevent starvation of a minor child, as focused during the hearing of this case.

With this observation and direction, the revisional application being, C.R.R. 1376 of 2020 along with connected application being, CRAN 1 of 2020 stands disposed of.

(Subhasis Dasgupta, J.)