

Form No. J(1)

IN THE HIGH COURT AT CALCUTTA
CRIMINAL APPELLATE JURISDICTION
APPELLATE SIDE

Present:

The Hon'ble Justice Jay Sengupta

C.R.A. 142 of 2021

Sohini Das Banerjee

-vs-

Akash Das

For the Appellant : Mr. Koustav Bagchi

Heard on: 20.01.2021

Judgment on: 20.01.2021

Jay Sengupta, J.:

This is an application for expeditious disposal of N Case No.593 of 2019 pending before the learned Judicial Magistrate, 4th Court, Barracpore, North 24 Parganas under Section 125 of the Code.

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner had filed an application under Section 125 of the Code claiming maintenance allowance

from her husband, the opposite party herein. Although the application was filed as far back as in July, 2019, till date not even any interim order of maintenance has been granted to the petitioner. The matter was adjourned on several occasions. The application has remained pending for no fault of the present petitioner.

I have heard the submissions of the learned advocate for the petitioner and have perused the revision petition.

No prejudice will be caused if a direction for expeditious disposal of the proceeding is passed in this case.

It appears that there has been a delay in proceeding with the maintenance case. If the application for interim order is not decided expeditiously, the wife who could be entitled to such interim maintenance, would be living in penury without any justifiable cause.

In view of the above and in the interest of justice, I request the trial court to conclude the proceeding under Section 125 of the Code as expeditiously as possible without granting any unnecessary adjournment to either of the parties and in particular to dispose of the application for interim maintenance

at the earliest, preferably within two months from the next date of hearing.

With these observations, the revisional application is disposed of.

Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(Jay Sengupta, J.)