

Court No.  
32  
Item 13  
ssi

08.02.  
2021

**C.R.R. 258 of 2021**

In the matter of:- **Moumiti Kuili (Paria)**

Ms. Reshmi Ghosh  
...for the petitioner

This is an application seeking an expeditious disposal of the M. Execution Case No. 30 of 2020 presently pending before the learned Judicial Magistrate, 2<sup>nd</sup> Court, Alipur, South 24 Parganas for recovery of arrears of interim maintenance.

A certified copy of the order-sheet in Execution Case No. 30 of 2020, as filed in Court today, is taken on record.

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner got married to the private opposite party in 2016. She was tortured in her matrimonial house and was finally driven out. On 30.10.2018, an order for payment of maintenance allowance to the tune of Rs 6,000/- per month to the petitioner was passed by the learned Additional Chief Judicial Magistrate at Alipur in ACM Case No. 577 of 2017. Till date, not a single farthing has been paid by the husband-opposite party. The earlier Execution Case being M. Execution Case No. 09 of 2019 had also gone on for very long time. Till date, no final order has been passed. So far as the present proceeding is concerned, the same

was instituted in January, 2021 for recovery of arrears of interim maintenance. Several adjournments were granted. The matter has remained pending for no fault of the petitioner.

I have heard the submissions of the learned counsel appearing on behalf of the petitioner and have perused the revision petition and the certified copy filed in Court.

No prejudice will be caused to any one, if a direction is passed to expedite the proceeding.

It appears that there is a delay in disposing of the execution case for recovery of arrears of interim maintenance.

One needs to be prompt in disposing of such application. Otherwise, the deserted wife would be condemned to live in penury in the interregnum although she might actually be entitled to such relief.

In view of the above and in the interest of justice, I request the learned trial Court to conclude the proceeding in the execution case as expeditiously as possible without granting any unnecessary adjournment to any of the parties, preferably within a period of four months from the next date of hearing.

With these observations, the revisional application is disposed of.

Urgent photostat certified copies of this order may be delivered to the learned Advocates for the parties, if

applied for, upon compliance of all formalities.

**(Jay Sengupta, J.)**