

08/07/2021  
Item No. 1  
Court No.8.  
S. DE

**Through Video Conference**  
**W.P.A. 1925 of 2020**  
**With**  
**I.A. No. CAN/1/2020 ( Old No. CAN 3213 of 2020)**  
**Smt. Sumita Priyadarshee.**  
**Versus**  
**The State of West Bengal & Ors.**

Mr. Aniruddha Chatterjee,  
Mr. Sabyasachi Banerjee,  
Mr. Aafreen Perveen.  
...for the petitioner.  
Mr. Subhabrata Dutta,  
Mr. Debashis Sarkar,  
...for the State.  
Mr. Jyoti Singh,  
Mr. Debasis Mitra  
...for the private respondent no.11.

The private respondent is produced in Court pursuant to the order dated June 4, 2021.

The private respondent is represented by his learned advocate.

It is submitted on behalf of the private respondent that, a sum of Rs. 7,60,000/- (Rupees Seven Lakhs Sixty Thousand Only) is due and payable as arrears of maintenance to the petitioner which the private respondent will pay in three instalments. The private respondent will pay 30% of Rs.7,60,000/- in course of the day. The balance 70% will be paid in two

monthly instalments. The first of such instalments will be paid on or before August 6, 2021 and the next instalment will be paid on or before September 6, 2021. The private respondent undertakes to honour such payments as submitted in Court. The undertaking is given to the Court.

Learned advocate appearing for the private respondent impresses upon the private respondent the consequence of breach of undertaking given to Court. He submits that, the private respondent understands such consequence and after understanding the consequence of breach of understanding given to Court he is inviting the Court to record his undertaking.

The petitioner and the State are represented.

In the facts of the present case, the petitioner approached the Court complaining of police inaction. According to the petitioner, the police were inactive in not executing the warrant of arrest upon the private respondent for production in proceedings before the appropriate Court.

Learned advocate appearing for the private respondent undertakes on behalf of his client that his client will be present on every date fixed before the appropriate Court henceforth.

In view of the undertakings as noted above, it would be appropriate to dispose of the present writ petition.

The respondent no.11 will pay 30% of a sum of Rs. 7,60,000/- in course of this day to the petitioner through the learned advocate-on-record of the petitioner and the balance 70% will be paid in two monthly instalments. The first of such instalments will be paid on or before August 6, 2021 and the next instalment will be paid on or before September 6, 2021.

It is clarified that, the Court did not adjudicate the quantum of liability of the private respondent. It would be open to the Court in seisin such proceedings to adjudicate the quantum due and payable by the private respondent to the petitioner.

The undertakings given by the petitioner with regard to payment and his appearance before the Court in seisin of the proceedings are placed on record.

The State need not produce the private respondent before this Court any further.

W.P.A. 1925 of 2020 along with interim application are disposed of accordingly.

Urgent certified Website copy of this order, if applied, be supplied to the parties, upon compliance of all requisite formalities.

**[Debangsu Basak, J.]**