

D/L.37
July 15,
2021

C.R.R. No.1154 of 2012

Bpg.

In Re : An application under Section 482 and read with Section 401 of the Code of Criminal Procedure;

In the matter of : Majbor Mallick. ...petitioner.

The present revisional application has been preferred in respect of the order dated 14.11.2011 passed by the learned Additional Chief Judicial Magistrate, Uluberia, Howrah in Misc. Execution Case No.33 of 2011.

It is reflected from the orders so passed that the learned Magistrate was pleased to issue warrant of arrest against the present petitioner in the said proceedings. By way of interim measure, a co-ordinate Bench of this Court on 26.4.2012 was pleased to direct the petitioner to deposit a sum of Rs.6,000/- within a week from the said date.

Today when the matter is taken up, no information has been furnished regarding the said deposit and records reflect that there were dues, which were pending to be paid.

Having regard to the order passed by the learned Additional Chief Judicial Magistrate, Uluberia on 14.11.2011, I am of the view that the same cannot be interfered with because the present petitioner was adopting dilatory tactics and refusing to pay the arrear maintenance.

In view of the aforesaid, I do not think that this is a fit case for interference. As such, the revisional application being CRR 1154 of 2012 is dismissed.

Pending application, if any, is consequently disposed of.

Interim order, if any, is hereby vacated.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Tirthankar Ghosh, J.)