

CRR 1881 of 2021

In re : An application under Section 401 read with Section 483 of the Code of Criminal Procedure, 1973.

In the matter of : **Smt. Harpeet Diwan (nee Kaur)**
..... petitioner

Mr. Souvik Mitter
.....For the petitioner

The petitioner was granted maintenance of Rs.7,000/- per month by the learned Judicial Magistrate, 2nd Court at Alipore in M. Case No. 633 of 2016.

Mr. Souvik Mitter, learned advocate appearing for the petitioner submits that the execution application filed by the petitioner, for the unpaid maintenance amount is pending since 2018.

Mr. Mitter, further, submits that there has been an arrear due in excess of Rs.1,66,000/- to be paid by the opposite party to the petitioner.

Since the execution case is pending for about three years, I am of the opinion that the learned Magistrate in the Court below should proceed with the execution case expeditiously to ensure that the arrear-maintenance is paid to the petitioner.

Accordingly, this revisional application is disposed of with a direction upon the learned Judicial Magistrate, 2nd Court at Alipore to ensure that the execution case is tried expeditiously. The learned Magistrate will be at liberty to issue a distress warrant against the opposite party to execute the order of maintenance.

With these observations, **CRR 1881 of 2021** is disposed of.

Since the opposite party will be not prejudiced by this order, this application is disposed of without serving any notice to him.

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

(Kausik Chanda, J.)