

19.01.2022
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SB
Ct. No. 39

CRR 129 of 2022

In Re : Smt. Ashmita Bhattacharjee (Baidya)

Mr. Debasish Kar
Mr. H. Mustafi ... for the petitioner

Learned counsel appearing on behalf of the petitioner submits that the execution case filed by the petitioner in respect of arrears of maintenance allowance passed in favour of the wife under Section 125 of the Code has remained pending for quite some time. The other side would come before the Court and pay a small sum and have the matter adjourned. In the interest of justice, a direction may be passed upon the learned Executing Court to dispose of the matter as expeditiously as possible. Reliance is also placed on an order passed by the Office of the District Judge, North 24 Parganas, Barasat regarding functioning of the district judiciary during pandemic. It is submitted that application for interim relief is to be heard by the learned Trial Court.

From the order sheet it appears that at least on two occasions the matter had to be adjourned on the ground of lockdown as regards the Covid-19 pandemic. However, on 23.11.2021, the regular presiding officer was on leave.

Be that as it may, it will be in the interest of justice if the application for execution of arrears of interim maintenance is disposed of expeditiously as it pertains to the sustenance of an aggrieved wife.

In view of the above and interest of justice, I request the learned Executing Court to dispose of the application as expeditiously as possible without granting any unnecessary adjournment to any of the parties.

With these observations, the revisional application is disposed of.

Urgent photostat certified copy of this order may be supplied to the parties expeditiously, if applied for.

(Jay Sengupta, J.)