

In the matter of:- Poulami Barua

...petitioner

Mr. Dhananjay Banerjee.

...for the petitioner.

This is an application seeking an expeditious disposal of a proceeding in an execution case filed for recovery of arrears of maintenance allowance granted under Section 125 of the Code.

Learned Counsel appearing on behalf of the petitioner submits as follows. A final order of maintenance allowance was passed by the learned Magistrate directing the opposite party to pay a sum of Rs.20,000/- to the petitioner/wife from the date of filing of the application. However, the opposite party did not comply with the said order. That is why the petitioner was constrained to file an application being MEX Case No.40 of 2020 presently pending before the learned Judicial Magistrate, 1st Court, Barrackpore, North 24-Parganas. On several occasions, the opposite party appeared and prayed for time. Although some amounts were paid by the opposite party in the meantime, a bulk of the amount due has remained pending.

I have heard the submissions of the learned counsel appearing on behalf of the petitioner and have perused the revision petition.

No prejudice will be caused if a direction is passed to expedite the proceeding in the execution case.

It appears that the petitioner had to file the present execution case in December, 2020. Yet, till date the proceeding could not be concluded.

In view of the above and in the interest of justice, the learned Executing Court is requested 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 six months from the next date of hearing.

With the above 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.)