

CRR 397 of 2022

In Re : Pranati Roy

Mr. Sukanto Chakraborty
Mr. Anindya Halder
Mr. Z. Ahmed

... for the petitioner

This is an application seeking an expeditious disposal of an application for the interim maintenance allowance filed in terms of Section 125 of the Code.

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner is an octogenarian lady who was constrained to file an application for maintenance allowance under Section 125 of the Code from her son, the present opposite party. An application for interim maintenance was filed on 07.04.2021. After that several dates were fixed. Yet, till date the application for interim maintenance could not be disposed of. In fact, on the last date i.e, on 27.10.2021 the next date was fixed on 31.05.2022, nearly after seven months from the said date. The petitioner is living in penury. The matter has remained pending for no fault on the part of the petitioner.

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

No prejudice will be cause to anyone if a direction is passed to expedite the proceeding.

It is unfortunate that an application for interim maintenance filed by the octogenarian lady in the month of April 2021 is still pending. Long dates are being fixed by the learned Trial Court.

In view of the above and in the interest of justice, the learned Trial Court is requested to conclude the proceeding under Section 125 of the Code as expeditiously as possible without granting any unnecessary adjournment to any of the parties and in particular, to dispose of the application for interim maintenance filed by the petitioner by preponing the next date to any date in the month of March 2022, preferably on the said date fixed or at least within a period of two months of such date fixed.

With these observations, the revisional application is disposed of.

The parties shall act upon the server copy of the official website of High Court, Calcutta.

(Jay Sengupta, J.)