

03-02-2022
Subha
Item no. 33
Ct no.34

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction
(Via video-conference)

C.R.R 296 of 2020
with
CRAN 1 of 2020
With
CRAN 2 of 2020

In Re: An application under Article 227 of the Constitution of India.

In the matter of : NSitu Jaiswal nee GuptaPetitioner.

Mr. M. M. Verma

....for the petitioner.

The grievance of the petitioner in this revisional application is related to Execution Case pending and the cryptic manner in which the payments are being made by the husband/opposite party.

Mr. Verma, learned advocate appearing on behalf of the petitioner submits that the learned 5th Judicial Magistrate, Sealdah is in seisin of the matter. Reference have been made in respect of Misc. Execution Case No. 181 of 2018 wherein several dates have been fixed, yet there has been no cooperation from the side of the opposite party/husband for diluting the claim which was by way of judicial order.

In view of the grievance expressed by the learned advocate for the petitioner, I direct the learned Judicial Magistrate, 5th Court, Sealdah to refer to harsher process of law for compelling recovery in view of the execution proceedings pending for a considerable period of time.

Learned Magistrate would fix dates on each and every 15 days so that the process of execution can be expedited. The learned Magistrate would be at liberty to issue distress warrant in case there is non-application of the order passed by him.

With the aforesaid observations, the revisional application being CRR 296 of 2020 is disposed of.

Interim order, if any, is hereby vacated.

All pending applications, if any, in connection with the revisional application, are consequently disposed of.

All concerned parties are to act in terms of a website copy of this order duly downloaded from the official website of this court.

[Tirthankar Ghosh, J]