

C.R.R. 407 of 2022

In the matter of:- **Swati Agarwal.**

(via video conference)

Mr. Ayan Bhattacharjee
Mr. Rishav Singh
...for the petitioner

This is an application praying for an expeditious disposal of a proceeding under Section 125 of the Code.

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner is the wife/claimant in an application under Section 125 of the Code. She filed an application for interim maintenance allowance along with main application on 12.10.2020. Thereafter, several dates were fixed. Affidavit of assets and liabilities was filed on behalf of the petitioner in terms of the ratio laid down in the case of Rajnesh –vs- Neha reported in 2020 SCC Online 903. In spite of these, till date the application for interim maintenance allowance of the present application could not be disposed of. The petitioner is living in penury with her two minor children. In view of the same, a direction may be passed to expedite the proceeding.

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 to any one if a direction is passed to expedite the proceeding.

It appears that an application for maintenance allowance for the mother and her two minor children is pending since 12.10.2020. At least the application for interim maintenance allowance should have been decided by now.

In view of the above and in the interest of justice, I request the learned trial Court 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 at the earliest, preferably within a period of three months from the next date of hearing.

With these observations, the revisional application is disposed of.

Urgent photostat certified copies of this order may be delivered to the learned Advocates for the parties, if applied for, upon compliance of all formalities.

(Jay Sengupta, J.)