

24.02.2022
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SB
Ct. No.39

CRR 532 of 2022
(via video conference)

In the matter of : Priyanka Jana

Mr. Balaram Pandit ... for the petitioner

This is an application seeking an expeditious disposal of a proceeding under Section 125 of the Code, especially of the application for interim maintenance allowance.

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner is the wife of the opposite party. She had filed an application under Section 125 of the Code claiming maintenance allowance from the husband for herself as well as for her minor child along with an application for interim maintenance. Although, the applications were filed on 10.11.2021, till date not even the application for interim maintenance has been disposed of. Three dates have already gone. The petitioner is living in penury. The application is pending for no fault on the part of the petitioner.

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 anyone if a direction is passed to expedite the proceeding.

It appears that there is an inordinate delay in disposing of the application for interim maintenance. An application for interim maintenance filed by the wife cannot be kept pending like this.

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 decide the issue of grant of interim maintenance allowance to the wife and the child at the earliest, preferably within a period of two months from the next date of hearing.

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.)