

Court No.
39
Item 65
Ssi

30.03.
2022

C.R.R. 609 of 2022

In the matter of:- **Dipanwita Ghosh**

(via video conference)

Mr. Debapratim Guha

Ms. Anchita Sarkar

...for the petitioner

This is an application challenging the order dated 10.11.2021 passed by the learned Judicial Magistrate, 1st Court, Barrackpore, North 24 Parganas in M Ex No. 22 of 2017.

Affidavit of service filed on behalf of the petitioner is taken on record.

Despite service, no one appears on behalf of the private opposite party.

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner is the wife of the opposite party who was granted interim maintenance allowance at the rate of Rs. 10,000/- per month. The payments were not made regularly by the husband. As such, the petitioner was constrained to file an application for recovery of arrears of maintenance. In the said proceeding, the husband would absent himself and after warrant of arrest was issued, he would pay a paltry sum and obtain bail. The present application has not been disposed of as yet, although the same was filed

in the year 2017. The arrears have now totalled to around Rs. 2,58,000/- and odd.

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

An application for execution of arrears of maintenance, which was filed in 2017, ought to have been finally disposed of by now.

Allowing the opposite party/husband to get away by paying miniscule sums by way of installments would frustrate the whole purpose of filing such application.

In view of the same and in the interest of justice, I request the learned Executing Court to conclude the proceeding as expeditiously as possible without granting any unnecessary adjournment to any of the parties, preferably within a period of four 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.)