

15-06-2022
Subha
Item no.52
Ct no.34

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction

CRR 1309 of 2022

In the matter of : **Kakuli Bhowmik**petitioner.

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

Mr. Sk. Toslim Ali
Ms. Saba Parveen

.....for the petitioner.

The revisional application has been preferred against the order dated 04.03.2022 passed by the Learned Judicial Magistrate, Amta, Howrah.

I find from the said order that the learned Magistrate on medical grounds released the opposite party. But, on the other hand it remains that the last payment which was received was on 17th April, 2021, more than one year has passed since then and till date the opposite party has failed to liquidate the arrear maintenance and/or pay the present maintenance.

In view of the materials available before this court, I direct the learned Executing Magistrate being the learned Judicial Magistrate, Amta, Howrah to invoke harsher process of law for implementing the orders passed in respect of the maintenance of the lady. The learned court would see to that the police authorities execute the process so issued. Needless to state that the provisions under which the litigation commenced is beneficial in nature and for upkeep of the

maintenance of the petitioner and her children.

It is the duty of the court of law to see that once its order is passed the same is complied with. The learned court would exercise the powers for the purpose of payment of arrears, which are due and also see to that regularly the maintenance amount is paid by the husband/opposite party.

With the aforesaid observations, the revisional application being CRR 1309 of 2022 is disposed of.

Affidavit of service so filed be kept with the record. It is found that in spite of service none appears on behalf of the private opposite party.

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

[Tirthankar Ghosh, J]