

31.10.2022
BMJR
Item no. 30
Ct. No.35

CRR 988 of 2015
With
CRAN 3 of 2016 (Old No. CRAN 3176 of 2016)

Ajoy Kumar Roy
Vs.
Sandhya Roy Dey & Anr.

None appear for either of the parties.

It appears that the matter is pending in the list since 6th September, 2022 and was called on everyday but none appeared during all these periods. Hence, this matter is taken up for disposal in absence of the parties.

Judgment and order dated 19th December, 2012 by the Additional Sessions Judge, First Fast Track Court, Barrackpore is under challenge in this revision. The petitioner has also intended to challenge the order dated 18.02.2015 passed by the Judicial Magistrate, 3rd Court at Barrackpore in M-Execution Case No.51 of 2003.

It appears from record that the Magistrate has issued "Distress Warrant" by dint of the said impugned order against the present petitioner on the ground of his default in payment of amount of maintenance as granted by the Court under Section 125 Cr.P.C. The prayer of the petitioner has been intended to be substantiated with the grounds pleaded in the petition which, however, appear to be insufficient and not cogent. Hence, the same is found to be meritless and the revision is liable to be dismissed.

For the reasons as aforesaid the CRR 988 of 2015 is dismissed. In view of dismissal of this revision the connected application being CRAN 3 of 2016 (Old No. CRAN 3176 of 2016) is also dismissed.

(Rai Chattopadhyay, J.)