

Form J(2)

**IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction
Appellate Side**

**Present :
The Hon'ble Justice Bibek Chaudhuri**

C.R.R. 2021 of 2022

**Poulami Barua
Vs.
Subhrajit Das @ Bappa @ Subho.**

**For the petitioner : Mr. Dhananjay Banerjee, Adv.
Ms. Oindrila Ghosh, Adv.**

Heard on : 27.06.2022

Judgment On : 27.06.2022.

Bibek Chaudhuri, J.

This is an application under Section 483 of the Code of Criminal Procedure praying for expeditious hearing of MEX Case No.54 of 2020 pending before the learned Judicial Magistrate, 1st Court at Barrackpore. It is submitted by the learned Advocate for the petitioner that the opposite party/husband was directed to pay maintenance @ Rs.20,000/- per month in a proceeding under Section 125 of the Code of Criminal Procedure. As the opposite party failed and neglected to pay monthly maintenance allowance to the petitioner, she filed MEX Case No.54 of 2020 for recovery of maintenance amount for the period between December, 2019 and

October, 2020 amounting to Rs.2,00,000/-. On 26th June, 2021, the opposite party entered appearance in the execution case and paid a sum of Rs.50,000/-. Thereafter he has not paid any amount and MEX Case No.54 of 2020 remains pending for days together.

It is also submitted by the learned Advocate for the petitioner that the petitioner has no source of income. It is almost impossible to maintain herself without any maintenance allowance at the rate of Rs.20,000/- per month.

The instant MEX Case No.54 of 2020 is **disposed of** directing the learned Judicial Magistrate, 1st Court at Barrackpore to dispose of MEX Case No.54 of 2020 positively within 3 months from the date of communication of this order.

If the opposite party failed and neglected to pay arrear maintenance for which the execution case is filed, the learned Magistrate is at liberty to take coercive step against the opposite party.

The petitioner is at liberty to communicate server copy of this order to the learned Judicial Magistrate, 1st Court, Barrackpore for information and compliance.

The instant criminal revision, is, thus, **disposed of**.

(Bibek Chaudhuri, J.)

