

Court No.
39
DI 1
Ssi

04.02.
2022

CALCUTTA HIGH COURT
In the Circuit Bench at Jalpaiguri
C.R.R. 9 of 2022

In the matter of:- **Ankita Dutta Das**

(via video conference)

Mr. Shibaji Kumar Das
...for the petitioner

This is an application seeking for expeditious disposal of a proceeding in Misc. (Ex) Case No. 15 of 2021 under Section 125 (3) of the Code arising out of M.R. Case No. 65 of 2019, presently pending before the learned Judicial Magistrate, 2nd Court at Siliguri, Darjeeling.

Learned counsel for the petitioner submits as follows. The petitioner filed an application claiming maintenance allowance from the opposite party /husband. By an order dated 9th March, 2021, the learned trial Court was pleased to grant interim maintenance allowance to be paid by the husband to the wife at the rate of Rs. 8,000/- per month from the date of filing of the application. The husband has not paid a single farthing. Dues accumulated to tune of Rs. 1,68,000/-. Accordingly, the present execution case was filed by the wife on 20.03.2021. Yet, till date the same could not be disposed of. The matter has remained pending for no fault of the present 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 any one if a direction is passed to expedite the proceeding.

It appears that the Misc. Execution Case was filed by the petitioner in March 2021. The next date fixed on 28.06.2021 and as on such date, the matter could not be proceeded with because of a resolution of the bar.

Since it is alleged that interim maintenance allowance is not being paid to the wife, this is an urgent matter that is to be decided with expedition.

In view of the above and in the interest of justice, I request the learned Executing Court to conclude the proceeding in the execution case as expeditiously as possible without granting any unnecessary adjournment to any of the parties by fixing shorter dates, preferably within a period of three 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.)