

IN THE HIGH COURT OF ORISSA AT CUTTACK
RPFAM NO. 34 OF 2022

Prasant Bhuiya

....

Petitioner

Mr. Amit Prasad Bose, Advocate

-versus-

Binati Bhuiya and others

....

Opp. Parties

CORAM:
JUSTICE K.R. MOHAPATRA

ORDER
16.03.2022

Order No.

1. This matter is taken up through hybrid mode.
2. The Petitioner in this RPFAM seeks to assail the legality and propriety of the order dated 3rd January, 2022 (Annexure-2) passed in Execution Misc. Case No.147 of 2017, whereby learned Judge, Family Court, Balasore directed to execute the order passed in Misc. Case No.227 of 2008 filed under Section 125 Cr.P.C. to realize the arrear maintenance of Rs.37,800/- for the period from 15th October, 2015 to 14th April, 2017.
3. On perusal of the record, it appears that the Petitioner has not challenged the order of maintenance dated 7th June, 2010 passed in Misc. Case No. 227 of 2008 filed under Section 125 Cr.P.C.
4. Mr. Bose, learned counsel for the Petitioner fairly admits the same.
5. Since the legality of the order dated 7th June, 2010 passed in Misc. Case No. 227 of 2008 has not been challenged, the order passed in Execution Misc. Case No. 147 of 2017 will not be available to be challenged by the Petitioner.

6. In that view of the matter, the RPFAM being devoid of any merit stands dismissed.

Urgent certified copy of this order be granted on proper application.

(K.R. Mohapatra)
Judge

bks

