

Form J(1)

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

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

CRR 741 of 2023

**Karobi Das Adhikary @ Dixit
Vs.
State of West Bengal & Anr.**

**For the petitioner : Mr. Pratim Priya Dasgupta,
Mr. Amit Dey**

Judgement on : 03.04.2023.

Bibek Chaudhuri, J.

It is submitted on behalf of the petitioner that the petitioner has filed an application under Section 125 of the Code of Criminal Procedure claiming maintenance from the opposite party. The opposite party entered appearance on 2nd February, 2022. Even after his belated appearance he did not file any written objection against the application for interim maintenance. He also did not file any affidavit of assets. On the other hand, the petitioner has filed her affidavit of assets for consideration before the Court below.

Under such circumstances, it is submitted on behalf of the petitioner that a specific direction may be given to the learned Trial Judge to dispose of the application for interim maintenance so that the petitioner may not suffer from monetary stringency.

Having heard the learned Advocate for the petitioner and on perusal of the fact that the Trial Court was able to bring the opposite party under its jurisdiction after a lapse of about two years from the date of filing of the application, it is directed that the application for interim maintenance shall be disposed of by the Trial Court within two months from the date of communication of this order positively. In the meantime, the opposite party may be given liberty to file his written objection as well as affidavit of assets.

The application is, thus, disposed of.

(Bibek Chaudhuri, J.)

Srimanta, A.R.(Ct.)
Item No. 149.