

**06.12.2023**  
**Serial no. 60**  
[G.S.D]

**CRR 1430 of 2023**

**In the matter of : Dhruba Jyoti Chakroborty @Dhruba Jyoti Chakravorty**

... .. Petitioner

Mr. Dyutiman Banerjee  
Mr. Amartya Basu  
Mr. Vishal Mallick  
Mr. Argha Banerjee

... for the Petitioner

The petitioner is aggrieved by the ex parte order of maintenance passed on 8.10.2021 in Misc. Case No. 57 of 2020.

The subject-matter of grievance principally is that the wife after withdrawing the earlier case being Misc. Case No. 603 of 2019, filed the present case. As the maintenance order was passed ex parte, subsequently, execution case has been filed. The petitioner has come to know of the same.

In view of the submission so advanced and the statutory remedies so available, the petitioner is granted liberty to exhaust such statutory remedies under section 126 of the cr.p.c.

The Id. Magistrate would consider the same in view of the background of the present case. The petitioner would

also be at liberty to take up the issues of the present revisional application before the Id. trial court

With the aforesaid observations, CRR 1430 of 2023 is disposed of.

Pending application, if any, is also disposed of.

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court at Calcutta.

Urgent Photostat certified copy of this order, if applied for, be supplied to the parties, subject to compliance with all requisite formalities.

**(Tirthankar Ghosh, J.)**