

D/L. 9.  
June 30, 2023.  
MNS.

WPA No. 14092 of 2023

Smt. Sunita Mahato  
Vs.  
Union of India and others

Mr. Prasanta Banerjee,  
Mr. Tapan Guchhait

... for the petitioner.

Affidavit-of-service filed in Court today be  
kept on record.

Despite service, none appears on behalf of  
the respondents.

The petitioner is the wife of the private  
respondent no. 4. In the writ petition, the  
petitioner has asked for a direction on the  
respondent authorities, the employers of the  
husband, to consider the representation of the  
petitioner.

A perusal of the representation indicates  
that, in the said representation, certain allegations  
have been made against the husband. Not only  
that, the petitioner has sought for  
transfer/remittance of 50% of the gross salary of  
the respondent no. 4-husband to the Savings  
Account of the petitioner.

Such representation is palpably *mala fide*.

The remedy of the petitioner lies before a court of law and/or any appropriate forum, in accordance with the several statutes, which are available to the wife to claim maintenance and, in default of the same, to seek execution by due process of law. However, the short-cut procedure sought to be adopted by the petitioner cannot be given a sanction by the court of law.

Accordingly, WPA No. 14092 of 2023 is dismissed without any order as to costs.

Nothing in this order shall preclude the petitioner from approaching any court of law and/or other legal forum to assert her legal right to get maintenance and to implement the same.

Urgent photostat certified copies of this order, if applied for, be made available to the parties upon compliance with the requisite formalities.

(Sabyasachi Bhattacharyya, J.)