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06.06.2023
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C.R.R. No.2463 of 2022

In Re: An application under Section 483 read with Section 482 of the
Code of Criminal Procedure, 1973;

Rasheda Khatoon
Versus
Bokul Hossain

Mr. Soubhik Mitter,
Ms. Rajnandini Das.
...for the petitioner.

Learned advocate appearing for the petitioner is aggrieved by the manner in which Case No.57M/2020 is proceeding before the learned Judicial Magistrate, 1st Court, Malda. Learned advocate submits that, because of continuous absence of the opposite party/husband, the learned Magistrate was compelled to award an aggregate sum of Rs.13,000/- per month towards the maintenance of the wife and the minor daughter. Subsequently, the husband appeared and preferred an application for setting aside such ex parte order. The grievance of the petitioner is that the said application till date is pending and the petitioner is not getting a single farthing for her maintenance.

Learned Judicial Magistrate, 1st Court, Malda is hereby directed that the application for setting aside of the ex parte order be disposed of on the next date so fixed or within a week thereafter. The learned Magistrate will then proceed with the trial of the case. If there are any arrears in respect of interim maintenance so awarded, learned Magistrate would take harsh steps so that the husband is compelled to comply with the order of interim maintenance. All

efforts must be taken to conclude the trial of the case within a year from the date of communication of this order.

With the aforesaid observations, CRR 2463 of 2022 is disposed of.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

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

(Tirthankar Ghosh, J.)