

August 3, 2023
AD – 334
Ct. 34
SG

CRR 2799 of 2023

In Re. An application under Section 482 of
the Code of Criminal Procedure, 1973.

Debasmita Basak (Deb) and another
-versus-
Arindam Deb

Mr. Dipayan Kundu

... for the petitioners.

Learned advocate for the petitioners submits that the petitioners are suffering because of the factum of the application for interim maintenance pending since the inception of the case. Till date 1 year 4 months have passed but the petitioners are pursuing the litigation without any remedy.

Having regard to the present stage of the case wherein dates are being fixed for filing of affidavits of assets and liabilities for the purposes of the opposite party, I direct that if on the next date so fixed the opposite party is unable to furnish the affidavits of assets and liabilities, the learned trial court would be at liberty to proceed ex parte and dispose of the application for interim maintenance within a month from next date. Thereafter learned trial court would fix at least one date in every 2 months so that trial of the case can be taken to its logical conclusion within a reasonable period of time.

With the aforesaid observations, CRR 2799 of 2023 is disposed of.

Pending application, if any, is consequently disposed of.

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

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

(Tirthankar Ghosh, J.)