

01.08.2023
Serial no. 5
[G.S.D]

CRR 3818 of 2022

In the matter of : Tanima Karan Merani

... .. Petitioner

Mr. Rachit Lakhmani
Mr. Mohammed Amin
Mr. Ghulam Muztaba
Mr. Uzma Masood

... For the Petitioner

The petitioner is aggrieved by the manner in which the Execution Case NO.55 of 2020 is pending before the Learned Judicial Magistrate, 3rd Court, Sealdah.

It has been brought to the notice of this Court that, although, the amount which has been awarded Rs.60,000/- for the petitioner and her minor, who is suffering from epilepsy and for this medical treatment is required for her, but the father/husband is trying to wriggle out of the situation by paying indiscreetly and not even covering the monthly maintenance. As such, there has been an accumulation of about Rs.17 lakhs (presently, the same is around Rs. 21 lakhs).

The Learned Trial Court, as such, is directed not to grant any further leniency to the O.P. No.2 for recovery of the arrears.

In case, the wife/applicant produces the document to substantiate regarding the bank accounts and financial statement of the husband, in that case, the Learned Trial Court would be at liberty to attach such sum which have accrued as arrears. Until the same is cleared within a period of four weeks from date, the Learned Magistrate, as usual, would fix a date every fortnight for recovery of the arrears concerned.

With the aforesaid observation CRR 3818 of 2022 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, 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.)