

D/L138
10.04.2024
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C.R.R.1479 of 2024

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

Mrs. Purnima Bera (Barik)
Versus
The State of West Bengal and another

Mr. Jewel Chanda
Mr. Kaushik Ghosh.
...for the petitioner.

Petitioner has challenged the order dated 09.01.2024 passed by the learned Sessions Judge, South 24 Parganas, Alipore in Criminal Motion No.16 of 2024.

I find from the order dated 09.01.2024 that the revisional court/sessions court while admitting the revisional application granted an interim order which is as follows:

“Having considered the facts and circumstances, the impugned order dated 16-11-2023 and the impugned order for ER/WA in M Ex 88/2017 be stayed on interim basis for a period of 12 (twelve) weeks subject to payment of Rs.15,000/- per month instead of Rs.30,000/- to the O.P. No.2 as maintenance, before 10th of each month, beginning from January, 2024.”

As the execution case is of the year 2017, I am of the opinion that the part of the order which relates to the stay of the execution case passed by the learned Sessions Judge in Criminal Motion No.16 of 2024 be stayed and the Criminal Motion No.16 of 2024 be disposed of by 30th June, 2024.

It has been informed that the Criminal Motion No.16 of 2024 has subsequently been transferred to the First Additional District and Sessions Judge, Alipore, if the said court is in seisin of the matter, all efforts be taken to conclude the revisional application within the said period of time without stretching the timeline so fixed. The learned Magistrate would continue with the execution proceedings of M. Ex. 88 of 2017.

With the aforesaid observations, CRR 1479 of 2024 is disposed of.

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

(Tirthankar Ghosh, J.)