

12.11.2024
rc/ct.no.34
Item No.19

CRR No.2216 of 2024

In the matter of : Mst. Mahima Begum

.....Petitioner

Mr. Amitabha Ghosh
Ms. Nabanita Chatterjee
Ms. Arpita Dhar

...for the Petitioner

Mr. Supratick Shyamal
Sk. Aktar Hossain
Mr. S.M.Ismail

....for the O.P.

Affidavit of service filed by the petitioner is taken on record.

Heard learned counsel for the parties.

The petitioner who is the wife of the opposite party has assailed the order passed by the learned Judicial Magistrate, 3rd Court, Serampore, Hooghly on March 06, 2024 in connection with Misc. Execution Case No. 101 of 2019. By the said order, the learned Magistrate has sentenced the opposite party to suffer simple imprisonment for a period of 30 days or until payment of the due amount, upon the opposite party refusing to pay any arrear maintenance to the petitioner.

I do not find anything wrong with the order impugned. It is trite law that imprisonment suffered by the opposite party/ husband does not absolve him from payment of maintenance/ arrear maintenance to the wife.

Since nothing further remains to be adjudicated in the present application, the revisional application being CRR No. 2216 of 2024 is disposed of.

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

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

(Suvra Ghosh,J)