

27.08.2024
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CRR 2740 of 2024

In Re : Suhani Bibi

**Mr. Avinaba Patra
.... For the Petitioner**

Since the innocuous prayer of the petitioner is for expeditious disposal of the proceeding being Execution Case no. 50 M of 2021 pending before the learned Judicial Magistrate, 2nd Court, Malda the matter may be disposed of without service of notice upon the opposite parties. The opposite parties shall not be prejudiced by order directing expeditious disposal of the case.

It appears that the petitioner was favoured with a judgment of the learned Judicial Magistrate, 2nd Court, Malda on 12th December, 2019 in M. Case no. 33 of 2015 granting maintenance to the tune of Rs.2,000/- per month for herself and Rs.3,000/- per month for her son from the date of filing of the case. Due to non-payment of the said amount by the private opposite party the petitioner filed an execution case being Execution Case no. 50M/2021. The opposite party failed to make any payment in the execution case for which warrant of arrest was issued against him on 18th September, 2021 and has not been executed till date.

In view of the above, this Court directs the learned Judicial Magistrate, 2nd Court, Malda to exhaust all procedure for securing the attendance of the opposite party before the said learned Court and ensuring payment of the maintenance by him and thereby dispose of the execution case as expeditiously as possible, preferably prior to the ensuing annual vacation, in accordance with law.

The revisional application being CRR 2740 of 2024 is disposed of.

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

(Suvra Ghosh, J.)