

28.11.2024

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CRR No. 4415 of 2024

In Re: Soumasree Mondal (Banik) @ Soumashree Mondal (Banik)

**Mr. Subhendu Banerjee
... For the Petitioner**

The petitioner has assailed the order passed by the learned Additional District & Sessions Judge, Diamond Harbour, South 24 Parganas on 1st August, 2024 in Criminal Motion 366/2024 granting stay of the order passed by the learned Judicial Magistrate, third Court, Diamond Harbour dated 4th August, 2023 in maintenance case no. 354 of 2019 whereby the learned Magistrate granted maintenance to the petitioner to the tune of Rs.4,000/- per month for herself and Rs.2,000/- per month for each of her minor children, total amount payable being Rs.8,000/- per month.

Learned counsel for the petitioner submits that stay of the said order has caused extreme sufferance to the petitioner.

Since the learned Additional Sessions Judge has granted stay of the order passed by the learned Magistrate as well as the Misc. Execution case filed in connection with the said order, the criminal motion is required to be disposed of by the learned Judge expeditiously so that the petitioner is able to avail of the benefit granted to her, if entitled.

In view of the above, learned Additional Sessions Judge, Diamond Harbour is directed to consider and dispose of the Criminal Motion being 366 of 2024 pending before him as expeditiously as possible, preferably within three months from the next date of hearing

fixed before him without granting any unnecessary adjournment to either of the parties, in accordance with law.

Since this Court has directed expeditious disposal of the criminal motion and has not gone into the merits of the matter, no notice is required to be served upon the opposite parties who shall not be prejudiced by the present order.

CRR 4415 of 2024 is disposed of.

Urgent certified website copy of the order, if applied for, be given to the parties on compliance of requisite formalities.

(Suvra Ghosh, J.)