

23.02.2024
Serial no. 8
[G.S.D]

CRR 4640 of 2022

In the Matter of : Pushpali Maity

... .. Petitioner

Mr. U.S. Chattopadhyay
Ms. Snigdha Saha

... for the petitioner

The order under challenge relates to stay of the order of maintenance and arrear maintenance in respect of a proceeding under the provisions of PWDV Act.

It has been reflected in the order dated 31.3.2021 passed by the Id. Addl. Dist. & Sessions Judge, FTC-3, Barrackpore that while admitting the appeal, the Id. Appellate court was pleased to stay the order dated 25.2.2021 passed by the Id. JM, 2nd Court, Barrackpore till 19.5.2021 both in respect of interim maintenance as well as arrear maintenance.

As the criminal appeal, being case no. 10/2021, was pending, I direct that if till date the said criminal appeal is pending, the Id. Addl. Dist. & Sessions Judge, FTC-3, Barrackpore would dispose of the same on the next date so fixed or within a fortnight thereafter.

The Id. Appellate court will fix as many number of dates as it thinks fit and proper but will not stretch the timeline.

If, for any reason, the Id. Appellate court thinks that that further hearing of the appeal is required, then, in that case, the interim order shall remain stayed and the order dated 25.2.2021 passed by the Id. JM in Misc. Case No. 60 of 2017 would revive.

With the aforesaid observations, CRR 4640 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.)