

18.12.2025
SL No.54
Court No.42
MD

C.R.R. 385 of 2025
With
CRAN 1 of 2025

In the matter of: Aditi Choudhuri @ Choudhury

...Petitioner

Mr. Angshuman Chakraborty
Mr. Shashankar Shekhar Saha

...for the Petitioner

Mr. Soumya Nag
Mr. A. Rakshit

...for the Opposite Parties

1. Learned counsel for the petitioner submits that appropriate direction may be issued to the learned Judicial Magistrate to dispose of the interim application for maintenance afresh without being influenced by the order of the learned Sessions Judge dated 6th of December, 2024 in Criminal Appeal No. 35/2024 expeditiously within a timeframe.
2. Learned counsel submitted that in the grave case where the petitioner has a ward, a special child, is not getting any maintenance.
3. Leaned counsel for the opposite party has fairly submitted that the direction may be issued for expeditious disposal.
4. On a perusal of the record it indicates that the learned Additional District & Sessions Judge, while disposing of the appeal by an order dated 6th of December, 2024 had passed a direction to decide the application filed under Section

23(1)/23(2) of the Protection of Women from Domestic Violence Act by the aggrieved person on its merits preferably within a period of three months from the date of this order. However, the petitioner instead of going back to the learned Trial Court chooses to file the present petitioner.

5. Be that as it may, this Court reiterates the direction given by the learned Additional District & Sessions Judge and directs the learned Trial Court to dispose of the interim application under Section 23(1)/23(2) of the Protection of Women from Domestic Violence Act, afresh, without being influenced by the order of Learned Additional District & Sessions Judge in Criminal Appeal No. 35 of 2024, expeditiously preferably within a period of three months in accordance with law without granting any unnecessary adjournment.
6. However, it is made clear that, this Court has not gone into the merits of the case and no expression made herein shall tantamount to be an expression on the merits of the case.
7. Accordingly, this petition being CRR 385 of 2025 stands disposed of.

(DINESH KUMAR SHARMA, J.)