

SL- **75** **17.09.2025**
(Da)

CRR/2005/2025

**In the matter of : RAMKRISHNA PANDA ALIAS RAM
KRISHNA SASTRI**

.... ...Petitioner

Ms. Kakali Samajpaty,
Ms. Sangita Jangra,
Ms. Payel Neogi,
Ms. Sabina Khatun, Advocates
.. ...For the petitioner

1. Petitioner seeks quashing of Order No. 21 dated April 16, 2025 passed in Misc. Execution Case No. 14 of 2023.
2. Learned advocate for the petitioner submits that, initially in a proceeding under Section 125 of the Criminal Procedure Code, maintenance of Rs.50,000/- per month was fixed. That order was assailed before the High Court. High Court reduced the quantum to Rs.15,000/- per month after noticing that another sum of Rs.15,000/- per month was directed to be paid for the child. In aggregate, the High Court directed payment of Rs.30,000/- per month. Outstanding was also directed to be paid.
3. Learned advocate for the petitioner submits that, out of the outstanding sum in excess of Rs.18,00,000/-, petitioner already paid a sum of Rs.16,00,000/-. The Execution Case is for recovery of a sum of Rs.36,00,000/- claimed to be outstanding.
4. I find from the records that, the order of maintenance was modified by the High Court. Petitioner is required to pay a maintenance in aggregate of Rs.30,000/- per month, Rs.15000/- per month for the wife and Rs.15,000/- per month for the child. Child is living with the wife.
5. High Court also directed the petitioner to clear the arrears.
6. Admittedly, arrears are yet to be cleared of.

7. The private opposite party filed a Misc. Execution Case No. 14 of 2023 seeking the arrears.
8. In so far as the quantum of arrears is concerned, the learned Judge is yet to arrive at a finding with regard thereto. The impugned order merely directs the petitioner before me to show cause as to why the petition for issuance of warrant of arrest shall not be allowed due to non payment of arrear maintenance and non-compliance of Court order. Even going by the contention of the petitioner before me there were arrears maintenance due and payable. Quantum is yet to be fixed.
9. I find no material irregularity in the order impugned warranting interference.
10. CRR/2005/2025 is **dismissed**.

(Debangsu Basak, J.)