

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION**

13.02.2025

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C.R.R. No. 3723 of 2024

In Re : An application under Section 528 of BNSS.

And

In Re : Sabina Yesmin Halderpetitioner

Mr. Lakshminath Bhattacharya

..... for the petitioner

1. Learned Counsel for the petitioner submits the maintenance proceeding is pending since 2018 due to non-appearance of the opposite party no. 1. She prays for expeditious disposal of the proceeding.

2. I have considered the materials on record. I have also perused the order-sheet. I note repeated dates were fixed since 2023 for examination of the opposite party no. 1. However, he did not appear and the proceeding is hanging fire.

3. It is trite that maintenance proceeding requires to be disposed of with utmost expedition. Courts ought not permit litigants to misuse the process of law and delay proceeding. Perusal of the order-sheet would show repeated dates were fixed for examination of opposite party no. 1 but he avoided to attend the Court on one pretext or the other.

4. Under such circumstances, I direct the learned Magistrate to peremptorily fix the matter for examination of the opposite party no. 1 (if not already done) and if he does not appear close his evidence and dispose of the matter at an early

date without granting unnecessary adjournments to either of the parties.

5. With these observations the revisional application is disposed of.

6. Urgent photostat certified copy of this order, if applied for, shall be given to the parties as expeditiously as possible on compliance of all necessary formalities.

(Joymalya Bagchi, J.)