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03.03
2025
Ct. No. 3

Calcutta High Court
In the Circuit Bench at Jalpaiguri
Criminal Revisional Jurisdiction

C.R.R. 95 of 2025
Smt. Srinwanti Dey Das
Vs.
Sri Saurav Das & Ors.

Mr. Abhilash Mittal
Mr. Abhishek Tamang

...For the Petitioner

This is an application under Section 528 of the Bharatiya
Nagarik Suraksha Sanhita, 2023 wherein the petitioner has prayed for a
direction upon the Court below for expeditious disposal of the Criminal
Appeal No. 03(01) of 2025.

It is submitted on behalf of the petitioner that the petitioner
herein preferred an application under Section 12 of the Domestic
Violence Act in the year 2024 wherein the learned Trial Court passed an
interim order of monetary relief directing the respondent No. 1 to make
payment of Rs. 8,000/- per month for the petitioner and Rs. 4,000/- per
month for her daughter till disposal of the case.

Being aggrieved by that order the opposite party husband has
preferred the above-mentioned Criminal Appeal, being Criminal Appeal
No. 03(01) of 2025 which was admitted by the Appellate Court on 10th
January, 2025 and the next date for Office Report has been fixed on 10th
March, 2025.

It is submitted on behalf of the petitioner that Section 12(5) of
the Protection of Women from Domestic Violence Act stipulates that
every such dispute is to be disposed of within sixty days and since the

appeal is the continuation of the main proceeding so direction may be passed upon the Court below for expeditious disposal of the aforesaid appeal, so that the petitioner may not be deprived of her legitimate claim of monetary relief and other relief for herself and her daughter for an indefinite period.

Having heard learned Counsel appearing on behalf of the petitioner it appears that the prayer made on behalf of the petitioner is innocuous and if it is allowed in terms of the prayer made on behalf of the petitioner, other party will have no caused to prejudice, the service of copy of the application or notice upon the opposite party is dispensed with.

Since it appears that the prayer made on behalf of the petitioner is justified and required to be allowed for the ends of justice, the present application, being C.R.R. 95 of 2025 is hereby disposed of with a direction upon the Court below to make every endeavour for expeditious disposal of the appeal and to make his best effort to conclude the entire proceeding preferably within a period of three months from the next date after giving opportunity to both the parties to contest as far as possible.

Urgent Photostat certified copy of this order, if applied for, be given to the parties, on priority basis, upon compliance of all requisite formalities.

(Dr. Ajoy Kumar Mukherjee, J.)