

27.10.2025
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Bd.
(Disposed of)

Calcutta High Court
In the Circuit Bench at Jalpairuri
Appellate Side

C.R.R. 460 of 2025

Soma Kar Deb

-vs-

The State of West Bengal & Anr.

Dr. Arjun Chowdhury
Mrs. Pratusha Dutta Chowdhury
Ms. Sunayana Parveen
Ms. Riya Agarwal
Mr. Bappaditya Roy
Mr. Mantu Mondal

...for the Petitioner.

The instant application has arisen from the order dated 18th August, 2025 passed by learned Additional Sessions Judge, 3rd Court, Cooch Behar in Criminal Appeal No. 01 of 2025. By the impugned order learned court below stayed the order of learned Judicial Magistrate, 2nd Court, Cooch Behar on condition of payment of Rs. 5,000/- per month to the petitioner/wife herein by the opposite party/husband from the date of filing of the appeal till the disposal.

Learned trial court in Misc. Case No. 07 of 2021 by its order directed the husband/opposite party herein to pay a sum of Rs. 3,000/- per month for his minor child and Rs. 5,000/- per month for the respondent/wife and he also directed to pay further sum of Rs. 5,000/- per month to the respondent/wife for her room rent.

Being aggrieved by that order of the trial court the opposite party/ husband herein preferred the aforesaid appeal and also filed the application for stay.

It is further submitted on behalf of the petitioner herein that the opposite party herein has willfully refused to pay maintenance amount and at present the outstanding amount is more than 6,50,000/-. He further submits that a direction may be passed upon the court below for expeditious disposal of the Criminal Appeal being 1 of 2025.

Having heard learned counsel appearing on behalf of the petitioner it appears that the prayer made on behalf of the petitioner/wife is innocuous and if any order is passed in terms of the prayer for expeditious disposal of the appeal, the opposite party/husband will have no cause to prejudice. As such the service of notice upon the opposite party/husband is dispensed with.

In view aforesaid facts and circumstances of the case CRR 460 of 2025 is hereby disposed of with a direction upon the court below to make every endeavour for expeditious disposal of the Criminal Appeal being 1 of 2025 preferably within a period of two months from the date of communication of this order without granting any unnecessary adjournment to either of the parties.

Be it mentioned that I have not entered into the merits of the case and the court below will dispose of the application without being influenced by any observation made hereinabove.

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

(Dr. Ajoy Kumar Mukherjee, J.)