

14.05.2026

Sl. No.15.

D/L.

Mithun.

Ct.No.29.

CRR/1906/2026

Smt. Anjana Sarkar

Vs.

Sri. Biswmbhar Sarkar & Anr.

Mr. Prasad Bhattacharyya

...for the petitioner

Petitioner herein has prayed for expeditious disposal of Money Execution Case No.92 of 2024 presently pending before learned Judicial Magistrate, 4th Court, Alipore.

Being aggrieved by the aforesaid proceeding, learned Counsel for the petitioner submits that petitioner filed an application for maintenance under Section 125 Cr.P.C. being M. Case No.402 of 2020 along with a separate application for interim maintenance on 14th October, 2020. The Trial Court granted interim maintenance to the petitioner to the tune of Rs.18,000/- for wife and Rs.12,000/- for daughter, totalling Rs.30,000/- from October 14, 2020. Since payment was not made by the husband/opposite party, petitioner preferred Money Execution Case No.92 of 2024 under Section 125(3) Cr.P.C. for recovery of arrear maintenance on 18th January, 2024. Since then the matter is pending and the opposite party is evading the Court process and the petitioner is under the threat of starvation. Therefore, the petitioner prayed for a direction upon the Court below for expeditious disposal of the aforesaid money execution case.

Having heard learned Counsel for the petitioner and that the prayer made by the petitioner is innocuous and if it is allowed in terms of the prayer made in the application, the opposite party will have no cause to prejudice and, as such, service of copy of application upon the opposite party is dispensed with.

Having heard learned Counsel for the petitioner and also considering that the petitioner/wife who being hapless lady is knocking the door of justice for last couple of years without having any remedy, I find that the prayer made by the petitioner is justified and required to be allowed to secure the ends of justice.

In view of the above, CRR 1906 of 2026 is hereby disposed of with a direction upon the executing Court to make his best endeavour to dispose of the Money Execution Case No.92 of 2024 filed by the petitioner as expeditiously as possible and to make best effort to conclude the proceeding preferably within a period of 3 months from the next date of hearing.

This order is passed invoking this Court's jurisdiction under Section 529 of the BNSS.

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court, Calcutta.

(Dr. Ajoy Kumar Mukherjee, J.)