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CRR 2063 of 2026

Shri Debasish Adhikary
Vs.
Smt. Moumita Adhikary

Mr. Uday Shankar Chattopadhyay
Mr. Santanu Maji
Mr. Subhyu Das
Ms. Sadia Parveen
Ms. Debrani Mondal
Mr. Chandan Das

...for the Petitioner

In this application, the petitioner has prayed for a direction upon the court below for expeditious disposal of Misc. case no. 217 of 2020 filed by the opposite party under Section 125 of the Code of Criminal Procedure. The opposite party/wife was granted interim maintenance amount of Rs. 40,000/- per month.

Being aggrieved by the inordinate delay in disposal of the main application filed under Section 125 of the Code, learned counsel for the petitioner submits that the opposite party initiated the said proceeding under Section 125 of the Code on 24th March, 2025 but since then, no evidence has been taken as yet though the petitioner herein has filed written objection against the maintenance petition. Therefore, he prayed for necessary direction upon the court below for expeditious disposal of the aforesaid maintenance application.

Having heard learned counsel for the petitioner, it appears that the prayer made by the petitioner is

innocuous and if it is allowed in terms of the prayer made therein, the opposite party will have no cause to prejudice and as such, the service of copy of application upon the opposite party is hereby dispensed with.

Having heard learned counsel for the petitioner/husband and that the maintenance proceeding is pending for a considerable period of time, 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 above, the instant application being CRR 2063 of 2026 is hereby disposed of with a direction upon the court below to make every endeavour for expeditious disposal of the proceeding being Misc. case no. 217 of 2020, presently pending before the learned Additional Judicial Magistrate, Bongaon and to make its best effort to conclude the entire proceeding preferably within a period of six months from the next date of hearing without granting any unnecessary adjournment to either of the parties.

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

(Dr. Ajoy Kumar Mukherjee, J.)