

M-355/2022

Regd No.- 355/22

Order dated: 26.06.2023

Today is fixed for ex parte hearing.

Petitioner files hazira.

On perusal of the record I find that in spite of due service upon the OP, the OP did not appear in this instant case and as such the case proceeded ex parte against the OP.

The petitioner has filed her affidavit in chief which has been duly sworn and she has also examined on dock and she stated that she has prayed for Rs. 10,000/- for herself and Rs. 6000/- per month for minor son.

Since the OP did not contest this instant application u/s. 125 of CrPC I am of the view that the OP does not have any objection against the prayer of the petitioner and as such I have no reason to disbelieve the unchallenged testimony of the petitioner and hence, the application u/s. 125 of CrPC is allowed ex parte.

Hence, it is

ORDERED

That the instant application for maintenance under section 125 of the Criminal Procedure Code is allowed, ex parte, with costs. The opposite party is directed to pay and go on paying the amount of Rs. 16,000/- (Rupees Sixteen Thousand only) per month to the petitioner towards her maintenance. The said amount shall be paid by the opposite party every month to the petitioner within first 10 days of each succeeding month commencing from the date of filing of the application. In default petitioner is at liberty to execute the same as per the provision of law.

The instant misc case is thus disposed of ex parte.

Sd/- Sushmita Gayen

D/C

ACJM-cum-CJSD, Kakdwip

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