

**Misc. Ex- 35 of 2023 (Rg. No. 101 of 2023)**

Present : Sri C. Pramanik, J. M. 2<sup>nd</sup> Court, Bishnupur, ( J.O. Code WB01207)

**Order dated 22-01-2025**

Today is fixed for further payment.

Petitioner is present by filing hazira along with her Ld. Advocate.

OP also filed a petition intends to pay the amount of Rs.5,000/- in the court today to the petitioner and prays for time for further payment on the ground stated therein.

On consideration prayer is allowed.

Petitioner also filed Money Receipt of Rs.5,000/-.

Let it be kept with the record.

Ld. Counsel for the petitioner filed a extension petition dated 22-01-2025 along with order dated 29-09-2022 passed by Ld. Judicial Magistrate, 2<sup>nd</sup> Court, Bishnupur praying for further arrear of interim allowance for the period since 01-04-2024 to 31-12-2024 amounting to Rs. 90,000/- ( Rupees Ninety Thousand) in total in connection with Misc Ex. 35/2023.

Perused the petition dtd. 22-01-2025 praying for further arrear of interim allowance for the period since 01-04-2024 to 31-12-2024 amounting to Rs. 90,000/- ( Rupees Ninety Thousand) in total.

Considering that as per the kind decision of the Hon'ble Supreme Court of India reported in 2005 SUPREME COURT CASES (Cri) Page 1089 no further execution case is required to be filed and the further claim of arrear maintenance on the part of the petitioners can be filed through the present/current execution petition as such as per the kind decision of the Hon'ble Supreme Court the petitioner does not require to file any fresh execution petition of further arrear maintenance claim amount and any new petition for fresh arrear claim can be filed in the old pending execution case i.e. in the present execution case.

The OP is hereby directed to pay the arrear maintenance of Rs. 90,000/- (Rupees Ninety Thousand Only) for the period since 01-04-2024 to 31-12-2024 to the petitioner by the next date fixed.

Let the extension petition along with order dated 29-09-2022 passed by Ld. Judicial Magistrate, 2<sup>nd</sup> court Bishnupur be kept with the case record.

Fix **06-03-2025** for further payment positively.

D/C

Judicial Magistrate 2nd, Court  
Bishnupur, Bankura