

Misc. Ex. 08 of 2021 (Rgd. No. 18 of 2021)

**Present: Aliviya Bhattacharya,
J.M. 3rd Court, Bishnupur.**

Order dtd. 24.09.2025

Today is fixed for payment and hearing on limitation point.

Parties file their respective haziras.

Heard both sides on the limitation point.

It is the contention of the petitioner is that he has filed the adding petition for the period from 20.12.2021 to 20.07.2025 at the tune of Rs.12,000/- per month amounting to Rs.5,16,000/-. According to the petitioner she is entitled to the entire claim and is not hit by limitation as it is subsequent adding petition.

Per contra, the Ld. Advocate for the OP submitted that the petitioner has filed the adding claim for a period for more than 3 years which is not maintainable.

Taking wisdom from the observation of Hon'ble Supreme Court in AIR 2005 SC 410 it can be said the period of limitation does not attract in case of adding of subsequent application of arrear claim. Accordingly the petition of the petitioner as aforesaid is maintainable in law.

OP files a petition for payment of Rs.13,000/-.

Same is allowed.

OP is directed to pay Rs.13,000/- to the petitioner hand to hand.

Petitioner is directed to file money receipt.

Fix 29-10-2025 for payment.

***J.M. 3rd Court, Bishnupur
J.O. Code.-W.B. 01364***

Later dtd. 24.09.2025

Petitioner files money receipt of Rs.13,000/-.

Let it be kept with the record.

Todate.

***J.M. 3rd Court, Bishnupur
J.O. Code.-W.B. 01364***