

Order No. 12, dated 06.06.2026

Today is fixed for hearing of petition and ER of WA.

Petitioner filed hazira.

No ER is received.

Ld. Advocate for the petitioner not pressed the petition dt. 11.05.2026.

Petitioner filed two petitions today praying for attachment of salary of OP.

The Ld advocate for the petitioner moved the said two petitions dt. 06.06.2026.

The Ld Advocate for the petitioner submitted that the OP is intentionally neglecting the court's order for payment of maintenance to the petitioner. The petitioner filed the present execution case claiming arrear maintenance amounting to Rs. 1,35,000/-. For the non payment of the maintenance amount, the amount has been increased. WA has been issued against the OP but no ER of WA has been filed. The OP is working as BSF, 69 Bn. BSF. He has sufficient means to pay the maintenance towards the petitioner and her minor child. Petitioner is in destitute condition. Therefore, the petitioner prayed for a direction upon the BSF, Head Quarter Officer, Block No.10, CGO Complex, Lodhi Road, New Delhi-110003 to deduct Rs. 15,000/- from OP's monthly salary and direct the said DDO for sending the said amount to the petitioner's account No. 4000801030166790, Uttar Banga Kshetriya Gramin Bank, Nayarhat, Karola Branch.

Heard. Considered. Perused the record.

The petitioner has filed this case for non payment of arrear maintenance amount of Rs. 1,35,000/-. The petitioner is not getting the arrear maintenance and suffering her days in agony.

An order of payment of maintenance amounting to Rs 15,000/- per month in total for her and her minor daughter was passed in Misc case no. 61 of 2021. The petitioner filed this case for realisation of arrear maintenance amounting to Rs 1,35,000/-for herself as well as her minor daughter. From the present record it appeared that summon upon OP was duly served but the OP did not appear. Then D/W was issued against him and E/R of D/W was received against the OP as nil seizure list. W/A was issued against the OP vide order dt. 19.09.2025. The petitioner received no payment in this case from the OP. In this circumstance I am of the opinion that Rs 15,000/- per month from the salary of the OP can be deducted and deposit in the account of the petitioner till realization of the present arrear maintenance amounting to Rs 1,35,000/-.

Hence, it is,

ordered

that the BSF, Head Quarter Officer, Block No.10, CGO Complex, Lodhi Road, New Delhi-110003 is hereby directed to deduct Rs 15,000/- from the salary of the OP Sanjay Mohanta per month till realisation of Rs 1,35,000/- as maintenance amount of the petitioner Sanchita Mohanta and her minor daughter Susmita Mohanta and the BSF, Head Quarter Officer, Block No.10, CGO Complex, Lodhi Road, New Delhi-110003 is hereby directed to send Rs 15,000/- per month from the salary of the OP Sanjay Mohanta in the account of the petitioner **Sanchita Mohanta, of 4000801030166790, Uttar Banga Kshetriya Gramin Bank, Nayarhat, Karola Branch, Dinhata, Cooch Behar, West Bengal** till realisation of Rs 1,35,000/-.

Send a copy of this order to the BSF, Head Quarter Officer, Block No.10, CGO Complex, Lodhi Road, New Delhi-110003 for compliance.

BC II to comply.

Fix 10.07.2025 for report.

Dictated and Corrected by Me:

A.C.J.M.
2nd Court, Dinhata.

A.C.J.M.
2nd Court, Dinhata.

