

Criminal Revision No.21 of 2025
CNR WBHW0100 0663 2025
Present: Abhijit Som
Sessions Judge, Howrah
J.O. Code – WB01127

Order No.08 dated 13.01.2025

Today is fixed for hearing of the stay application.

Ld. advocate on behalf of the petitioner/revisionist is present to move the stay application.

None appears on behalf of the O.P. No.1, Sri Soumyajit Roy, on call.

Ld. P.P. in charge is present.

It is submitted on behalf of the petitioner that an ad interim order of maintenance, to the tune of Rs.5,000/-, was passed in favour of the petitioner at the initial stage of the proceeding in the trial court. Subsequently, the interim order was vacated and the petitioner was directed to refund and return the amount to the O.P. No.1 (husband). Thereafter, the O.P. No.1 filed an execution case for non payment of the refund amount. So, it is submitted that if the stay of the impugned order is not granted, the wife/petitioner shall suffer irreparable loss and warrant may be issued against her in the execution proceeding.

Having considered the submission of the Ld. advocate for the petitioner and also considering the case record, this court is of the view that an interim order of stay of all further proceeding of the execution in connection with the impugned order and the operation of the impugned order as a whole may be granted for a limited period in the absence of the O.P. No.1 at this time of hearing.

Hence, it is,

O r d e r e d

that the operation of the impugned order dated 15.01.2025 and the consequential execution proceeding, if any, arising out of the impugned order is hereby stayed

for a period of eight weeks hence from this day or till disposal of the revision whichever is earlier.

Fix 06.03.2026 for hearing in presence of both sides.

Dictated & corrected by me

Sessions Judge,
Howrah

Sessions Judge,
Howrah

Later: (13.01.2026)

After passing of the above order the O.P. No.1 files a Vokatnama along with a hazira and also files an adjournment petition. Let it be kept with the record.

Dictated & corrected by me

Sessions Judge,
Howrah

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