

**Misc Ex. Case No.55 of 2023**

**Order dated 05.08.2023 :**

Today is fixed for further payment of Rs.40,000/-.

Petitioner is present by filing hazira.

O.P files a petition stating that O.P has transferred Rs.10,000/- on 04.08.2023 to the bank account of the petitioner in terms of payment of arrear maintenance.

Now, on careful scrutiny of the record I find that the Court by its order dated 01.08.2023 directed the O.P to pay Rs.40,000/- in spite of specific order the O.P only paid Rs.10,000/- as per his will. The conduct of the O.P shows that he has no respect to the order of this Court and that is why he is paying arrear maintenance according to his will.

It would not be out place to mention that no stay order of the Hon'ble High Court Calcutta has been filed by the O.P in course of hearing and at this stage if the Court allow further time to the O.P to pay arrear maintenance then the entire purpose of Protection of Women from Domestic Violence Act, 2005 would be frustrated.

Hence, issue D.W against the O.P.

Fix 07.11.2023 for E.R of D.W.

D/C

J. M. 2<sup>nd</sup> Court  
Howrah.