

Ex. 501 of 2023

Order dated 19.03.2025

Today is fixed for ER of WA and hearing of petition dated 24.01.2025.

The petitioner files Advocate hazira.

On perusal of case record, I find that no requisite of W/A is lying with the case record.

Petitioner files fresh requisites of W/A.

Accordingly, BC-II is hereby directed to issue the W/A against the OP at once.

Ld. Advocate for the petitioner moves the petition dated 24.01.2025 for execution of amount of Rs 36,000/- for the arrear maintenance amount for the period of 16.09.2023 to 15.09.2024.

Heard Ld. Advocate for the petitioner.

Perused the petition as filed today for the further arrear amount of Rs 36,000/- and other materials on record.

Considering that as per the kind decision of the Honourable 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 Honourable Supreme Court the petitioner do 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 Opposite party is hereby directed to pay the arrear maintenance amount of Rs 36,000/- for the arrear maintenance amount for the the period of 16.09.2023 to 15.09.2024 the petitioner along with remaining amount.

Issue WA at once.

Fix **18.08.2025** for ER of WA.

D/C by me,

ACJM, 2nd court,
Lalbagh, Murshidabad

ACJM, 2nd court,
Lalbagh, Murshidabad