

MEX 761/18

Order dated :19.10.24

Today the date is fixed for order.

Petitioner files hazira and one petition stating the she has not received any arrear of maintenance allowance from the OP for herself and her minor child as such she is praying for attachment the salary of the O.P for the recovery of arrear of maintenance amount of Rs.1,60,000/-.

OP is without any step since long.

In respect of the prayer of the petitioner for attachment of the salary. It appears that the prayer of attachment of salary was allowed by this court vide order dt.15.3.21 with respect to Rs.1,20,000/- and the direction was given to the concerned head of the **“Fabric Process House” Department under Jayashree Textiles Mill Private Limited, Grasim Industries Limited, Prabasnagar, Rishra, District- Hooghly, Pin code- 712249** to deduct **Rs. 4000/- per month** of the salary of the **O.P Gouri Shanjar Sharma** for each month if/ when it falls due and pay the same to the petitioner that is Smt. **Jyoti Sharma** personally until arrear maintenance dues of **Rs. 1,20,000/-** is realized or until further orders from this court.

The Concerned Head, **“Fabric Process House” Department under Jayashree Textiles Mill Private Limited, Grasim Industries Limited, Prabasnagar, Rishra, District- Hooghly, Pin code- 712249**, was also directed to strictly comply the order of this court and send a report of the action taken from their part is respect of this order.

However, till date no report has been received from the said concerned authority nor any deduction has been made from the salary of the OP.

In the instant scenario upon perusal of the materials on the record it is clear that this O.P having sufficient means is deliberately neglecting to provide maintenance to his wife who is in need of money & I thereby find no other alternative but to allow the prayer of the petitioner thereby deducting a portion of salary of the O.P. It is also revealed from the affidavit of the petitioner that the O.P is working at **“Fabric Process House” Department under Jayashree Textiles Mill Private Limited, Grasim Industries Limited, Prabasnagar, Rishra, District- Hooghly, Pin code- 712249**.

Since it is the rule of law that no future salary can be attached/ deducted and even if attachment/deduction of salary is concerned the full salary cannot be deducted/attached I hereby direct the concerned head of the **“Fabric Process House” Department under Jayashree Textiles Mill Private Limited, Grasim Industries Limited, Prabasnagar, Rishra, District- Hooghly, Pin code- 712249** to deduct **Rs.8000/- per month** from the salary of the **O.P Gouri Shanjar Sharma** for each month if/ when it falls due and pay the same to the petitioner that is Smt. **Jyoti Sharma** personally or in her account being no. 30144770653 of State Bank of India, Chiriamore Branch, IFSC Code SBIN0003071/ Account being no. 24548100002646 of Bank of Boroda, Barrackpore Branch, IFSC Code BARBOBARRAC until arrear maintenance dues of Rs. 1,60,000/- is realized or until further orders by this court.

Hence it is,

ORDERED

that the petition dt. 5.10.24 filed by the petitioner for salary attachment of the O.P is allowed on contest.

The concerned head of the **“Fabric Process House” Department under Jayashree Textiles Mill Private Limited, Grasim Industries Limited, Prabasnagar, Rishra, District- Hooghly, Pin code- 712249** to deduct **Rs. 8000/- per month** from the salary of the **O.P Gouri Shankar Sharma** for

each month if/ when it falls due and pay the same to the petitioner that is Smt. **Jyoti Sharma** personally or in her account being no. 30144770653 of State Bank of India, Chiriamore Branch, IFSC Code SBIN0003071/ Account being no. 24548100002646 of Bank of Boroda, Barrackpore Branch, IFSC Code BARBOBARRAC until arrear maintenance dues of **Rs. 1,60,000/-** is realized or until further orders from this court.

The Concerned Head, **“Fabric Process House” Department under Jayashree Textiles Mill Private Limited, Grasim Industries Limited, Prabasnagar, Rishra, District- Hooghly, Pin code- 712249**, is directed to strictly comply the order of this court and send a report of the action taken from their part in respect of this order.

To **28.11.24** for report from the **“Fabric Process House” Department under Jayashree Textiles Mill Private Limited, Grasim Industries Limited, Prabasnagar, Rishra, District- Hooghly, Pin code- 712249**.

Let a copy of this order sheet be sent to “Fabric Process House” Department under Jayashree Textiles Mill Private Limited, Grasim Industries Limited, Prabasnagar, Rishra, District- Hooghly, Pin code- 712249.

Let another copy of this order be given to the petitioner free of cost for placing before the concerned Head of the “Fabric Process House” Department under Jayashree Textiles Mill Private Limited, Grasim Industries Limited, Prabasnagar, Rishra, District- Hooghly, Pin code- 712249.

Typed and printed by me,

J.M. 3rd Court, Barrackpore.

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