

IN THE COURT OF THE JUDICIAL MAGISTRATE, 1ST CLASS, 1ST COURT, RAGHUNATHPUR

Misc. Ex. Case No.- 33 of 2021 (Regn. Misc. Ex. Case No.- 110 of 2021)

Petitioner: REBATI MANDI (TUDU)

Vs.

Opposite Party: SUNIL MANDI.

PRESENT: DEBASISH BARMAN. JUDICIAL MAGISTRATE, 1ST CLASS, 1ST COURT, RAGHUNATHPUR.

Order Dated 23-12-2021: This is an application u/S-125 (3) Cr. P. C. filed by the petitioner against the O. P., praying for passing order directing the O. P. to pay Rs. 84,000/- (Rupees eighty four thousand) only as arrear maintenance allowance for the period from 16-12-2020 to 15-12-2021 by way of execution.

Schedule: Total claim amount (@ Rs. 7,000/- per month for maintenance of the petitioner X 12 months) = Rs. 84,000/-

Seen the application and perused the copy of order dated 07-09-2021 passed in Misc. Case- 66 of 2020 by Ld. Court.

Let the instant application be registered as Misc. Execution Case.

Requisite is filed. Issue it at once.

To 24-01-2022 for S. R. and appearance.

Dictated & corrected by me:

Judicial Magistrate, 1st Class, 1st Court
Raghunathpur

Judicial Magistrate, 1st Class, 1st Court
Raghunathpur

Misc. Ex. Case No.- 33 of 2021 (Regn. Misc. Ex. Case No.- 110 of 2021)

Petitioner: REBATI MANDI (TUDU)

Vs.

Opposite Party: SUNIL MANDI.

PRESENT: SRI DEBASISH BARMAN. JUDICIAL MAGISTRATE, 1ST CLASS, 1ST COURT, RAGHUNATHPUR.

Order No. 08 Dated 13-06-2022: The O. P., Sunil Mandi is brought under arrest on the strength of WA.

He is taken into custody. He represented himself. On being asked the O. P. refused to pay any maintenance allowance.

It appears from the record that till date the O. P. has paid not any amount towards maintenance in this case till date and today he also refused to make payment. Thus, in the premises, this Court has no other option but to sentence the O. P. Sunil Mandi S/O-Late Shayamapada Mandi to suffer S. I. for 30 days commencing from the date of this Order, as per the provision laid down u/S 125 (3) of Cr. PC.

Hence, it is,

ORDERED

that the O. P. Sunil Mandi is hereby sentenced to suffer S. I. for 30 days from the date of this Order for non-payment of arrear maintenance amount and the O. P. be remanded to J. C. for one month.

The Superintendent of Raghunathpur Sub-Divisional Correctional Home is hereby directed to release the O. P. from custody on completion of the sentence period or upon payment of the total maintenance arrear amount whichever is earlier.

Let a copy of this order be sent to The Ld. Chief Judicial Magistrate, Bankura for information.

Let another copy be sent to The Superintendent, District Correctional Home, Bankura for information.

To date (21-06-2022) for payment.

Dictated & corrected by me:

Judicial Magistrate, 1st Class, 1st Court
Raghunathpur

Judicial Magistrate, 1st Class, 1st Court
Raghunathpur

MISC. EX. CASE NO.- 33 of 2021 (REGN. MISC. EX. CASE NO.- 110 of 2021)

Petitioner: REBATI MANDI (TUDU)

VERSUS

Opposite Party: SUNIL MANDI.

PRESENT: SRI DEBASISH BARMAN. JUDICIAL MAGISTRATE, 1ST CLASS, 1ST COURT, RAGHUNATHPUR.

Order Dated 03-01-2023: The O. P., Sunil Mandi is brought under arrest on the strength of WA & produced before me from District Correctional Home, Bankura.

He is taken into custody. He represented himself. On being asked the O. P. refused to pay any maintenance allowance.

It appears from the case record that the O. P. had not paid any amount towards maintenance in this case till date and today he also refused to make payment. Thus, in the premises, this Court has no other option but to sentence the O. P. Sunil Mandi S/O-Late Shayamapada Mandi to suffer S. I. for 30 days commencing from the date of arrest, as per the provision laid down under Section 125 (3) of Cr. PC.

Hence, it is,

ORDERED

that the O. P. Sunil Mandi is hereby sentenced to suffer S. I. for 30 days from the date of arrest i.e. 02-01-2023 for non-payment of arrear maintenance amount and he is remanded to J. C. for one month.

The Superintendent of Raghunathpur Sub-Divisional Correctional Home is hereby directed to receive the said O. P. in custody & to release him on completion of the sentence period or upon payment of the total arrear maintenance amount whichever is earlier.

Let a copy of this order be sent to The Ld. Chief Judicial Magistrate (S), Bankura for information.

Let another copy be sent to The Superintendent, District Correctional Home, Bankura for information.

Ld. Advocate for the petitioner files petition praying for continuation of maintenance @ Rs. 7,000/- per month from 16-12-2021 to 15-12-2022 totalling Rs. 84,000/-.

Perused, considered & allowed.

Hence the total claim amount now is Rs. 84,000/- + Rs. 84,000/- = 1,68,000/- (rupees one lakh sixty eight thousand) only.

To date (08-02-2023) for payment.

Dictated & corrected by me:

Judicial Magistrate, 1st Class, 1st Court
Raghunathpur

Judicial Magistrate, 1st Class, 1st Court
Raghunathpur