

**IN THE COURT OF THE 1ST ADDITIONAL DISTRICT
JUDGE AT ALIPORE DISTRICT: SOUTH 24-PARGANAS**

Present : Rajesh Chakraborty (J.O. Code : WB00764)

Additional District Judge, 1st Court, Alipore

Matrimonial Execution No. 26 of 2025

(Arising out of Misc. Case No. 75 of 2022 and Matrimonial Suit No. 160/ 2021)

Smt. Samprikta Seal nee Singh Decree-Holder/Wife

—Versus—

Sri Navonil Seal Judgment-Debtor/Husband

Order No. 5 dated 08.01.2026

Today is fixed for taking steps by JDR.

This is an execution proceeding initiated by the decree-holder wife for realisation of arrear and current maintenance in terms of the order dated 07.04.2025 passed in Misc. Case No. 75 of 2022. From the materials on record, it appears that by the said order the judgment-debtor husband was directed to pay arrear alimony of Rs. 3,36,000/-, calculated at the rate of Rs. 8,000/- per month for a period of 42 months commencing from 23.02.2022 to 22.08.2025. The learned Court further directed that the said arrear amount be liquidated in thirty instalments of Rs. 11,200/- each along with payment of current maintenance of Rs. 8,000/- per month, thereby casting an obligation upon the judgment-debtor to pay a total sum of Rs. 19,200/- per month towards arrear and current alimony.

It is the specific case of the decree-holder that despite the said clear and executable direction, the judgment-debtor has deliberately and willfully failed to comply with the order of the Court, neither paying the arrear amount nor the current maintenance. It is further stated that as on the date of filing of the present execution application, the arrear amount has further increased and now stands at Rs. 3,42,000/-. The decree-holder has also placed on record that the judgment-debtor is in regular employment under West Bengal Agro Industries Corporation Limited and is drawing a monthly salary of Rs. 36,642/-.

The conduct of the judgment-debtor, as disclosed from the execution application and the records, prima facie indicates persistent non-compliance with the lawful order of maintenance passed by a competent court. Maintenance being a recurring obligation intended to prevent destitution and hardship, deliberate default in payment

strikes at the root of the administration of justice and cannot be lightly condoned.

Since the decree-holder has specifically prayed for recovery of the decretal dues by attachment of salary under Order XXI Rule 48 of the Code of Civil Procedure, and since the judgment-debtor is a salaried employee, this Court is of the view that before proceeding to pass an order of attachment of salary, an opportunity should be afforded to the judgment-debtor to show cause as contemplated under law.

Accordingly, the judgment-debtor husband, Sri Navonil Seal, is hereby directed to show cause, as to why an order of attachment of his salary should not be passed for recovery of the due arrear and current maintenance payable to the decree-holder wife. The show cause shall specifically address the failure to pay the arrear amount of maintenance as well as the ongoing default in payment of current maintenance, despite the subsisting order dated 07.04.2025.

Let notice be issued upon the judgment-debtor as well as upon the judgment debtor / husband, Sri Navonil Seal through the Head of the Office / DDO of West Bengal Agro Industries Corporation Limited for information and necessary action by the judgment-debtor, on failure to respond which this Court shall be constrained to pass appropriate orders for attachment of salary under Order XXI Rule 48 of the Code of Civil Procedure without any further communication.

The decree-holder is at liberty to take all further steps in accordance with law.

Put up the matter on 20.02.2026 for filing of show cause.

Dictated & Corrected by me

Additional District Judge,
1st Court, Alipore

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1st Court, Alipore