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CRR 2107 of 2026

Sabana Parvin
Vs.
The State of West Bengal & Anr.

Mr. Younush Mondal
Mr. Rabi Kumar Sah

...for the Petitioner

In this application, the petitioner/wife has prayed for a direction upon the court below for expeditious disposal of M. Execution case no. 233 of 2025, presently pending before the learned Judicial Magistrate, 1st Court, Barasat.

Learned counsel for the petitioner submits that on the basis of the prayer made by the petitioner, learned Judicial Magistrate, 1st Court, Barasat allowed interim maintenance of Rs. 8,000/- per month from the date of filing of the case vide order dated 4th January, 2023 in M Case no. 330 of 2020. The petitioner preferred criminal revision before the learned Sessions Judge being Criminal Revision no. 24 of 2023 seeking enhancement of the maintenance amount and the learned Sessions Judge has been pleased to allow the same. The opposite party no. 2 also preferred Criminal Revision being no. 131 of 2023, which is pending before the learned Additional Sessions Judge, 5th Court, Barasat and this High Court while disposing CRR 1556 of 2025 directed the court below to dispose of the said revisional application filed by opposite

party no. 2 as expeditiously as possible. Thereafter, due to non-payment of the maintenance amount, the petitioner filed the instant M. Execution case no. 233 of 2025 in connection with aforesaid M. case no. 330 of 2020 to recover arrear dues of Rs. 2,72,000/-. The said execution case is still pending. The petitioner and her minor child are under threat of starvation as she has no financial capacity to maintain herself as well as her minor child.

Having considered the nature of the prayer made in the instant application, the service of copy of application upon the opposite party is hereby dispensed with.

Having considered the fact that the petitioner being a hapless lady, is knocking the door of justice for a long period to get maintenance amount awarded to her by the court, I find that the prayer made by the petitioner is justified and required to be allowed to secure the ends of justice.

In view of above, the instant application being CRR 2107 of 2026 is hereby disposed of with a direction upon the court below to make every endeavour for expeditious disposal of the proceeding being M. Execution case no. 233 of 2025, presently pending before the learned Judicial Magistrate, 1st Court, Barasat and to make its best effort to conclude the entire proceeding preferably within a period of three months from the next date of hearing, without

granting any unnecessary adjournment to either of the parties.

Urgent Photostat certified copy of this order, duly applied for, be given to the parties upon compliance of all requisite formalities.

(Dr. Ajoy Kumar Mukherjee, J.)