

Item No. - 3
28.02.2025
Rohan
Court No. 8

**In the High Court at Calcutta
Civil Appellate Jurisdiction
Appellate Side**

**CRC 2 OF 2025
In
FAT 569 of 2018**

**Debjani Poddar
Versus
Sanjeev Poddar**

With

**FAT 569 of 2018
With**

**I.A. No.: CAN 3 of 2021
I.A. No.: CAN 4 of 2021
I.A. No.: CAN 5 of 2021
I.A. No.: CAN 7 of 2024
I.A. No.: CAN 8 of 2024**

**Sri Sanjib Podder
Versus
Smt Debjani Podder**

**Mr. Simanta Kabir,
Mr. Avik Pramanick**

... for the alleged contemnor

**Re.: CRC 2 of 2025
in
FAT 569 of 2018**

1. Pursuant to the service of the contempt application upon the alleged contemnor, he has appeared and represented by his lawyer.
2. On the last occasion, it was pointed out to this Court that there has been a huge accumulation of an arrear maintenance and the details thereof was handed over to this Court. It transpires in course of the hearing that the sum of Rs. 9,80,000/- appears to have been due since February, 2021 till February, 2025. The appellant, in order to show bona fide, have brought a banker's cheque bearing no. 506268 of ICICI Bank,

R.N. Mukherjee branch, drawn in favour of the respondent for a sum of Rs. 5,00,000/-. It is submitted by the counsel for the appellant that the remaining amount shall be remitted within 40 days from date.

3. Considering the fact that a substantial amount has been remitted on account of an arrear maintenance, the respondent is permitted to encash the said banker's cheque without prejudice to her rights and contentions. The remaining amount shall be remitted on or before 31st March, 2025.
4. It is open to the respondent to mention the matter in the event the aforementioned banker's cheque is not encashed or the amount shown therein is not credited to her account.
5. The personal appearance of the alleged contemnor is dispensed with for the time being.

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6. We find that the special messenger cost was put in to bring the Trial Court record and the intimation was sent way back in the year, 2019. The record does not reveal that the Trial Court record has reached to this Court though there is a noting that the paperbook has not been filed. In the absence of the Trial Court record, it is not possible to prepare and file the paperbook.
7. The office is directed to immediately ensure that the Trial Court record reaches to this Court within fortnight from date.
8. After the Trial Court record arrives to this Court, the office shall examine the same, if found complete, shall put a note in this regard and shall serve the notice upon the advocate-on-record of the appellant under Rule 12 of Chapter 9 of the Appellate Side Rules.

9. The appellant is directed to prepare eight copies of informal paperbook - printed, typewritten or cyclostyled, as the case may be - within three weeks from the date of the service of the said notice of arrival of record.
10. After the filing of the paperbook in the department within the time as indicated hereinabove, liberty is granted to the parties to pray for inclusion of the appeal for final disposal.

(HARISH TANDON, J)

(PRASENJIT BISWAS, J)