

28.11.2025
Ct. No. 06
Sl. No.14
Cp

C.O. No. 4027 of 2025

Aniruddha Saha
Vs.
Srabani Das Saha

Mr. Partha Pratim Roy
Mr. Samrat Chakraborty

.....for the petitioner.

This court is of the view that the order dated March 13, 2025 is prima facie erroneous. The husband's salary was attached and monthly deduction was directed.

In the Matrimonial Suit No. 137 of 2017, judgment on admission was passed and decree of dissolution of marriage was granted. The court granted liberty to the wife to pray for permanent alimony. Such application was not filed. In the meantime, the wife prayed for execution of an order of maintenance pendente lite, passed earlier.

The order granting maintenance pendente lite had been stayed by this court and the husband was directed to pay Rs.7000/- per month. In the meantime, the judgment on admission was passed and the civil revisional application was disposed of by a coordinate bench, inter alia, holding that the same had become infructuous.

It is submitted that the maintenance pendente lite is still being paid at the rate fixed by this court when the civil revisional application was admitted.

The order impugned dated March 13, 2025 passed by the learned District Judge, Hooghly, in Money Execution Case No.06 of 2021, shall remain stayed for a period of three months or until further orders whichever is earlier.

At this stage, this court is of the prima facie view that the permanent alimony should be decided by the jurisdictional court as per the leave granted, instead of executing an order of maintenance pendente lite.

Let this matter appear in the list on December 19, 2025.

Let service be effected upon the opposite party as also on the learned advocate appearing for the opposite party in the learned trial court. Affidavit of service to be filed on the next date.

The office of the petitioner shall act on the basis of the learned advocate's communication and server copy of this order.

(Shampa Sarkar, J.)