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Maintenance recovery

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Hi, My husband isn't paying any maintenance to me and my son from past 11 months. There is two family court in the floor Court no1 and Court no2, my case is running on no2, and from last 6 months there is no judge, after the Court no2 judge left. My lawyer said to wait and he will take the maintenance execution matters to Court no1 temporary just to run it there as Court no2 has no judge. Early April we decided to do the same but Court no1 judge was absent for only few days including that day. Any help please what should I do now? As Court no2 has no judge, they're giving very long days ranging from 35 days upto 60 days. I don't know why. By any chance can I take this matter to high court calcutta?

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Lawyer

Consult your lawyer or engage another local prudent lawyer for proper analyses, guidance and proceeding.



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Author: Bimal Jain

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Vijay Raj Mahajan ▾

Advocate

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This problem do occur when the court is vacant and new judge appointment is awaited. The chance of getting the new judge appointed after elections is possible as the new appointments may have been suspended for time being. Also summer vacation in many courts during the month of May/June also retard the administrative process in many High Courts from where the order for appointment of Subordinate district court judges is being done. Your lawyer should keep in touch and make enquiries about new appointments of district court judges of your district/state.

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🕒 3 months ago



P. Venu ▾

Irrespective of the post of the Judge remaining vacant, the Execution Petition could be filed.

Advocate

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