

**IN THE COURT OF PRINCIPAL JUDGE, FAMILY  
COURT, GOPALGANJ  
MAINTENANCE CASE NO. 281/2024  
(C.I.S. No. 281/2024)**

**Khushboo Khatoon ..... Applicant**

**Vs.**

**Faiyyaz Raza ..... O.P.**

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**Learned counsel for the applicant: Sri Abhay Kumar Singh**

**Learned counsel for the O.P.: Shri Sitanshu Shekhar Pandey**

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**Present :- Dhirendra Bahadur Singh,  
Principal Judge, Family Court,  
Gopalganj  
Date of order - 01-08-2025**

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**ORDER**

- 01-08-2025**
1. Applicant is present in the court. Learned counsel for the O.P. submitted that recall petition is pending. Rejoinder has been filed on behalf of applicant.
  2. Learned counsel for the O.P. submitted that the O.P. appeared physically in this case on 03-06-2025. Show cause and recall petition has already been filed on 03-06-2025. On 05-06-2025 affidavit regarding assets and liabilities has also been filed. He submitted that the O.P. has been working in abroad and it is essential for ends of justice to recall the ex-parte order dated 28-04-2025 and to provide opportunities to the O.P. to contest the case. He further submitted that it is not possible for the O.P. to appear physically in this case on each and every date as he has been living in abroad. Hence prayed to allow the recall petition dated 03-06-2025 as well as the petition U/S 13 of the Family Curt Acts to represent the O.P. in this case.
  3. On the other hand learned counsel for the applicant strongly opposed the submission and submitted that it is not possible to conduct the proceedings

without physical appearance of the O.P. He also submitted that the O.P. has full knowledge of the proceeding and heavy cost should be imposed upon him.

4. Having heard the submission and from perusal of the case record the present case has been filed on 21-11-2024 and the same has been admitted on 09-12-2025. The case proceeded ex-parte vide order dated 28-04-2025 and the next date fixed was 04-07-2025. The O.P. appeared in this case on 03-06-2025. The O.P. promptly filed his show cause and affidavit regarding assets and liabilities. It is essential for the ends of justice to provide opportunity to the O.P. to contest the case. It is admitted position that the O.P. works in abroad.

5. Considering aforesaid facts and circumstances the recall petition filed on behalf of O.P. to recall the ex-parte order dated 28-04-2025 is hereby allowed at the cost of Rs. 5,000/-. The show cause will be accepted and the order will come into force only after payment of the cost. The petition u/s 13 of the Family Court Acts is allowed with condition that the O.P. shall be available for reconciliation and mediation through video conferencing. Learned counsel Sri Sitanshu Shekhar Pandey is hereby allowed to represent the O.P. on each and every date. However at any point of time, if the condition necessitate, the O.P. shall be physically present in the court.

Put up this case on 12-08-2025 for reconciliation at 2:00 pm.

**Dictated**

**P.J.**