

**Mat Suit 277 of 2021**

Order No. 10

Order dated 20.04.2023

The petition dated 13.09.2023 is taken up for hearing.

Heard both sides.

It appears that the petitioner is prayed for withdrawal of the instant suit filed u/s 9 of the H.M Act. It is stated in the petition that due to defect and material irregularities the suit need be withdrawn. However, it is not made clear in the petition as to whether the suit may fail by reason of some formal defect. Hence, the prayer for withdrawal of the suit is rejected at this stage.

On the other hand, the respondent filed a counter-claim on 04.03.2023 praying for a decree of divorce. The counter-claim is accepted as per note of the registry. Court fees paid by the respondent, found sufficient.

The petitioner is at liberty to file W/S against the counter-claim.

At the end of the hearing the Ld. Advocate on behalf of the respondent submits that the petitioner has not been complying the order of the court to make payment of maintenance pendente lite.

The respondent is directed to file affidavit on the next date.

Fix 27.06.2023 for W/S and further order.

D/C by me.

Sd/-

D.J

Sd/- (Abhijit Som)

District Judge, Hooghly