

**Mat Suit 362 of 2019**

**Order No. 39 dated 22.07.2025**

Date is fixed for OPW, in default argument.

Be it noted that on 23/06/2025 a petition was made by the respondent/wife praying for modification of the order dated 03/05/2025 which is taken up for consideration.

It is pointed out that on 14/05/2025 a put up petition was filed together with a petition u/s 151 of CPC wherein the respondent has made similar prayer which was somehow misplaced. Let the same be tagged with the record.

Parties file hazira.

The respondent has deposited Rs.1,000/- and a receipt thereof has been filed from the side of the husband/petitioner. Upon hearing both sides it is found that the prayer for modification should be considered for ends of justice since the litigation is with regard to matrimonial disputes and such a litigation should be disposed of on merit.

The ld. advocate for the petitioner has raised objection contending that the respondent is trying to drag the matter unnecessarily but it does not appear that justice should be hurried. In view of the facts and circumstances of the case the petition for modification is considered and allowed.

Order dated 03/05/2025 is modified accordingly to the extent that “the respondent will get a chance to cross-examine the PW-1 and after completion of such cross-examination the evidence of OPWs will be recorded”.

To avoid further delay PW-1 is cross-examined at length. However, for paucity of time the cross-examination could not be completed for which it is deferred. The adjournment petition made by the respondent in that regard is allowed.

Fix **12/09/2025** for further cross-examination of PW-1.

Dict. & Corrected by me

D.J.

District Judge, Hooghly.