

Mat Suit No. 589 of 2023Order No. dated 26.08.2025

Today is fixed for filing W.S by respondent/wife and filing respective affidavits regarding payment made to the respondent by petitioner.

Ld. Lawyer for both sides are present.

Heard both sides.

Ld. Lawyer for the respondent has submitted W.S. According to respondent copy is served through whatsapp and email to the petitioner.

Ld. Lawyer has referred order passed by Hon'ble Court in Satender Kumar Antil Vs C.B.I. and Another with M.A No.2035 of 2022 in SLP(Crl) No.5191 of 2021 by order dated 13.02.2024 and also in M.A No.2034 of 2022 in M.A No.1988 of 2021 in Special Leave Petition (Crl) NO.5191 of 2021.

Petitioner has submitted his affidavit regarding payment of cost of Rs.40,000/- to the respondent. However, no affidavit is submitted on behalf of the respondent that she has not received any said amount. Hence, considering facts and circumstances of this case and materials on record this Court holds that petitioner has already paid to the respondent wife the amount of Rs.40,000/- which was disputed earlier by the respondent.

Ld. Lawyer for the respondent has filed a petition for mediation.

Copy served. Objection raised by petitioner.

Heard both sides.

Ld. Lawyer for the petitioner submits that petitioner is not willing to go for mediation. He also submits that judgement referred by respondent in Shilpa Sailesh Vs. Varun Sreenivasan (2022) is not applicable in this case as the petitioner/husband is not willing for mediation.

Having heard both sides.

This court is of view that this Court cannot compel either of the parties to compulsarily go for mediation compulsarily, as, when the party concerned is not willing to go for mediations, the most probable result will be the failure of mediation process.

Hence, fix 11.12.2025 for settlement of issues and petition for mediation by respondent accordingly stands disposed off.

Dictated & Corrected by me.

ADJ, F.T.C., Serampore.

Additional District Judge,
Fast Track Court, Serampore, Hooghly.

