

**Mat suit 186/21 (Old No.)**  
**Mat suit 304/23 (New No.)**

Order No. 19 dt.13.02.25

The instant case is fixed today for passing necessary order as the respondent/wife has filed an application U/O 6 Rule 17 of the CPC with a prayer for amendment of his written statement. The application dt.06.03.23 is supported by an affidavit shown by the respondent/wife herself. The application hereinafter referred as the 'said application'.

During hearing of the said application it has been submitted by and on behalf of the respondent/wife that the amendment he wants to incorporate in her written statement is nominal one it will not change the nature and character of the present suit.

The fact was not incorporated in the W/S due to mistake and or oversight. However, the fact is known to the petitioner/husband.

For the ends of justice and for just decision of the suit, the fact is required to be incorporated by way of amendment.

Per contra Ld. Advocate for the petitioner/husband has contended that the respondent/wife wants to incorporate the fact by way of amendment which is totally uncalled for. He wants to convert the present case as per her sweet will against the mandate of the statute.

Moreover, the said fact is totally adverse to the case of the petitioner/husband and the same is required to be out right rejected.

Heard and considered the same.

I have gone through the said application wherefrom it appears that the parties are in matrimonial discord since their marriage. However, the marriage is an admitted fact and the fact the respondent/wife wants to emphasis is nothing but annulment of marriage for non cohabitation between the parties. However, considering the scheduled fact which the respondent/wife wants to incorporate is nothing knew and it will not change the nature and character of the present suit. More so, the present case is in the stage of reconciliation and at this stage there is no impediment to consider her prayer.

The respondent/wife is permitted to incorporate the fact by way of a amendment.

Hence it is

**ORDERED**

that the said application dt.06th March, 2023 U/O 6 Rule 17 of the CPC is hereby allowed on contest without any costs.

The respondent/wife is directed to submit amended written statement by date fixed after serving copy to the other side.

To-date for reconciliation.

To 05.05.25 for reconciliation.

Dictated & corrected by me

Addl. District Judge  
F.T.C, Chandernagore, Hooghly  
WBJC 00971

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**IN THE COURT OF THE ADDITIONAL DISTRICT JUDGE  
FAST TRACK COURT, CHANDERNAGORE, HOOGYLY.**

**Mat suit 211/22 (Old No.)**

**Mat suit 104/23 (New No.)**

**I S S U E S**

- 1) Is the suit maintainable in its present form and law ?
- 2) Does the petitioner any cause of action to file the instant suit ?
- 3) Is the petitioner was tortured mentally and physically by the respondent ?
- 4) Whether the respondent is guilty of deserting the petitioner without any reasonable cause ?
- 5) Is the petitioner entitled to get decree as prayed for ?
- 6) To what other relief or reliefs if any, is the petitioner entitled ?

Addl. District Judge  
Fast Track Court, Chandernagore  
Hooghly.  
Dt.