

Matrimonial Suit No. 26 of 2017

CNR No. WBHW01-000156-2017

Present : Sri Somesh Prasad Sinha (J.O Code : WB00720)

Order No. 112,

Dated : 17.07.2026,

Today is fixed for hearing of the petition u/s 151 of the C.P.C.

The petitioner files hazira through Ld. Advocate. The petitioner has also filed written objection against the petition u/s 151 C.P.C, filed by the respondent.

The respondent is present and files hazira through Ld. Advocate.

Ld. Advocates of both sides are present.

Now, the record is taken up for hearing of the petition u/s 151 of the C.P.C..

Heard both sides. Perused the petition and its objection.

Ld. Advocate for the respondent / wife submitted that the petitioner is not paying the maintenance allowance, ordered by this Court in connection with Misc. Case No.71 of 2017 and still an amount of Rs.6,25,000/- is due as on the date of filing of the petition and accordingly, she prayed for stay of the Mat Suit till the maintenance allowance is paid.

On the other hand, Ld Advocate for the petitioner / husband by filing written objection submitted that he is regularly paying maintenance as awarded by the Ld. Magistrate Court in P.W.D.V Act and also paid Rs.96,000/- till date. It is submitted that the Ld. P.W.D.V Court has ordered maintenance along with arrear and he is paying Rs.15,000/- per month including the current maintenance and arrear maintenance. Accordingly, he prayed for rejection of the petition.

In Court of hearing, Ld. Advocate for the petitioner could not give satisfactory answer as to why the maintenance, awarded by this Court at the rate of Rs.15,000/- per month is not being paid. He also could not give satisfactory explanation as to why Rs.6,25,000/- is still due in view of such order, passed by this Court.

In this circumstances, since huge amount is due to the respondent/ wife, it will be proper to stay the proceeding the Matrimonial Suit till the maintenance allowance is clered and made up-to-date.

Hence, it is

ORDERED

that the petition u/s 151 of the C.P.C is allowed on contest.

The Matrimonial Suit is hereby stayed till the maintenance, granted by this Court, is paid and made up-to-date.

To 23/09/2026 for payment of maintenance.

Dictated & Corrected by me.

A.D.J, 1st Court, Howrah.

Additional District Judge,
1st Court, Howrah.