

Matrimonial Suit No.44 of 2022
(CNR No.-WBHW01-000222-2022)

Present : Smt. Asmita Samajder (J.O. Code:WB00956)
Additional District Judge,
4th Court, Howrah.

Order No. 34 dated 23-12-2025

Today is fixed for ex parte evidence of PW2.

Today, petitioner/husband has filed hazira and has also filed a petition for recalling the PW1 for adducing further evidence for the purpose of production of some vital documents.

The petitioner/husband has also filed his affidavit-in-chief on recall. Let it be kept with the record.

Hence, the recall petition is heard at length today.

By filing the instant petition, petitioner/husband has mentioned that he deposed as PW1 and had exhibited some documents during his evidence. According to the petitioner/husband, he was discharged, and thereafter the suit was fixed ex parte against respondent/wife. According to him some important documents like, RTI report and air tickets, etc. could not be produced at the time of his evidence and those documents are required to be marked as 'exhibits' for the proper adjudication of the present suit. The petitioner/husband thereafter prayed for passing necessary order.

On perusal the materials on record, it transpires therefrom that the evidence of PW1 was taken on board and some documents have been marked during his examination-in-chief as PW1. However, his cross-examination was not done by the respondent/wife, and the evidence of PW1 already taken on board and considered and treated to be as ex parte evidence.

The petition filed today by the petitioner/husband is formal in nature and it is apparent that allowing the same shall not prejudice to anyone. Moreover, those documents are necessary for apt adjudication of the suit as well, and hence, there is no bar to allow the prayer of the petitioner/husband.

Accordingly, the recall petition file by the petitioner/husband today is allowed.

P.W1 is hereby permitted to depose on recall.

Case is thereafter adjourned.

Fix **06-02-2026** for further ex parte evidence of PW1 on recall.

Dictated & corrected by me;

ADJ

Additional District Judge, 4th Court,
Howrah