

Matrimonial Suit 649 of 2018
CNR No. WBHW01-003211-2018

Present : Sri Plaban Mukherjee (J.O Code : WB01427)

Order No.69.

Dated : 11.09.2025

Today, the date is fixed for show cause by the petitioner.

The respondent files hazira through Ld. Advocate.

The petitioner is absent without any steps.

On repeated calls, none appears from the side of the petitioner and no show cause has yet been filed from the side of the petitioner.

Ld. Advocate for the respondent submits that on 27.05.2025, this Court has allowed the prayer of the respondent/ wife under Section 24 of the Hindu Marriage Act, but till date, the petitioner has not paid a single rupee.

It is not 2.30 pm, but no accommodation has been sought for from the side of the petitioner.

The case record reveals that the petitioner has instituted this case under Section 9 of the Hindu Marriage Act praying for restitution of conjugal rights and the respondent, being wife, has filed her written statement along with counter claim praying for dissolution of their marriage. The case record further reveals that the present petitioner has filed his written statement against the counter claim of the respondent.

Contd....

Matrimonial Suit 649 of 2018

[Continuing Order dated 11.09.2025]

In view of the above, due to non-taking of any steps by the present petitioner / husband, let the suit of the petitioner under Section 9 of the Hindu Marriage Act, be dismissed for default, keeping the counter claim alive, which needs to be adjudicated in accordance with law.

Hence, it is

ORDERED

that the suit of the petitioner under Section 9 of the Hindu Marriage Act is dismissed for default, without any order as to cost.

It is further ordered that the counter claim of the respondent / wife will be proceeded ex parte against the petitioner.

Fix 09.12.2025 for ex parte hearing of the counter claim.

Dictated & Corrected by me.

Addl. District Judge, 1st Court,
Howrah

ADJ, 1st Court, Howrah