

**JO Code No.WB00885
MAT Suit No. 779 of 2018**

Order No. 91 Dated: 17-02-2024.

Today is fixed for further cross of P.W 1 as last chance.

Petitioners is present and files hazira.

The respondent is also present and files hazira.

The Ld. Counsel for the respondent has invited the attention of the court towards order dated 27-01-2021 passed by the Hon'ble Court in CO No. 129 of 2021, and has agitated before the court that the Hon'ble Court was pleased to observe that if the husband (petitioner herein) complies with the order passed in Misc Case 56 of 2019, with regard to payment, the Matrimonial Suit is to be disposed of in an expeditious manner. It is further stated that the respondent has only made payment of about 20% of the amount that has accrued till date, in compliance with the final order passed in Misc Case 56 of 2019, due to which the instant case should not proceed, as per mandate of the Hon'ble Court.

The petitioner files a petition stating that he has already made payment of Rs.3,18,000/- to the respondent and prays for time to make further payment.

It is clear mandate of the Hon'ble Court that the petitioner/husband has to comply with the final order passed in Misc Case 56 of 2019 and make regular payment of the alimony pendente lite, as has been awarded by this court.

Considering the order passed by the Hon'ble Court, this court opines that for the Mat Suit to proceed, there should be evidence of the respondent having made payment of at least 75% of the outstanding amount. As such, the adjournment petition is allowed and the case is adjourned.

Fix 22-04-2024 for statement of accounts by both parties.

To date for further order.

Payment of arrears by the petitioner to the respondent in the meantime.

Dic. & correct by me

A.D.J.

**Addl. District Judge,
3rd Court, Howrah.**