

Mat Suit. No. 587 of 2025
CNR No. WBHW01-002012-2025
Present : Sri Somesh Prasad Sinha (J.O Code : WB00720)
Order No. 08, dated : 09.06.2026

Today, the date is fixed for ex parte hearing of the suit.

Petitioner has filed a petition praying for time on the ground stated therein.

Respondent is also present files hazira. The respondent has also filed show cause petition and a petition praying for vacating the ex parte order of the suit, supported by an affidavit and has also filed the Written Statement along with a petition praying for accepting the Written Statement by condoning the delay. Copy served. Let those be kept with the case record.

Ld. Advocates of both sides are present.

Now, the case record is taken up for hearing of the show cause along with ex parte vacating petition.

Ld. Advocate for the respondent submits that it took time to collect the necessary documents relating to the allegation, raised by the petitioner/wife in her plaint and after collection of those documents, owing to a severe knee injury suffered by the respondent/ husband, he could not contact with his Ld. Advocate and accordingly, respondent was unable to file Written Statement within the statutory period and accordingly, this Court was pleased to pass an order of ex parte hearing of the suit vide order dated 12/03/2026. Ld. Advocate further submits that it was unintentional laches on the part fo the respondent. Accordingly, he prays for accepting the show cause petition and vacating the order of ex parte hearing of the suit.

Ld. Advocate for the petitioner raised objection by stating that the respondent is willingly delaying the proceeding of this suit.

Heard. Perused the petition and the case record. Considered.

Perused the case record, wherefrom, it appears that the respondent appeared in this case on 12/11/2025, but had not filed his written statement till 12.03.2026 and accordingly, this Court vide its order dated 12.03.2026 fixed 09.06.2026 for ex parte hearing of the suit.

Under the above facts and circumstances and considering the cause shown by the respondent/husband, I am of the considered view that an opportunity should be given to the respondent/husband to contest the suit.

Hence, the cause, submitted by the respondent/husband in his show cause petition is accepted and accordingly, the prayer for vacating the order of ex parte hearing is hereby allowed on contest by setting aside the order being No.07, dated 12.03.2026, but without any order as to cost.

Now, the petition praying for condoning the delay in submitting the Written Statement by the respondent / wife is taken up for hearing.

Heard. Considered.

The delay caused by the respondent /husband is hereby condoned for the sake of interest of justice.

Hence, W.S filed by the respondent is hereby accepted.

Fix 12/08/2026 for reconciliation.

Dictated & Corrected by me.

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

Additional District Judge,
1st Court, Howrah.