

Order dated 18.06.2025

Today is fixed for hearing of the application filed by petitioner-wife under section 24 of Hindu Marriage Act praying for alimony pendente lite and expenses of proceedings.

Both the petitioner-wife and the respondent-husband files legal appearance.

WO filed by the respondent-husband against the application under section 24 of Hindu Marriage Act filed by the petitioner-wife.

On perusing the record it appears that no affidavit of asset has been filed by the petitioner-wife or the respondent-husband in terms of the order passed by the Hon'ble Apex Court in Rajnesh vs Neha and Others (2021) 2 SCC 32. It has been laid down in the said judgment:

“(xi) Keeping in mind the need for a uniform format of Affidavit of Disclosure of Assets and Liabilities to be filed in maintenance proceedings, this Court considers it necessary to frame guidelines in exercise of our powers Under Article 136 read with Article 142 of the Constitution of India.

(a) The Affidavit of Disclosure of Assets and Liabilities annexed at Enclosures. I, II and III of this judgment, as may be applicable, shall be filed by the parties in all maintenance proceedings, including pending proceedings before the concerned Family Court/District Court/ Magistrate's Court, as the case may be, throughout the country;”

Thus, both the petitioner and the respondent-husband are directed to file affidavit of asset and liability in specified format by next date fixed.

Fixing 07.07.2025 for filing affidavit of asset and liability by the petitioner-wife and the respondent-husband and hearing under section 24 of Hindu Marriage Act.

Addl. Dist. & Sessions Judge, F.T.C. -1,  
Alipurduar.  
J.O. Code W.B. 01009