

Mat-2782/21
(WBSP01- 011516-2021)

22.1.2026

Today is fixed for hearing of the petition filed by respondent/wife praying for an order directing the petitioner/husband to pay Rs.3,45,000/- as maintenance pendente lite to respondent/wife. The petition is supported by an affidavit.

Written objection supported by an affidavit in respect of the aforesaid petition has been filed by petitioner/husband.

Now the petition along with the written objection is taken up for hearing.

It is submitted by ld. Counsel for respondent/wife that in the present matrimonial suit, respondent/wife filed a Misc. Case No-155/22 U/s. 24 of H.M.Act wherein ld. Court has been pleased to pass an order directing the petitioner/husband to pay Rs.15,000/- per month to the respondent/wife within 10th of each succeeding month and also to pay the arrears of maintenance pendente lite from the date of filing of the instant Misc. case. It is further submitted that inspite of such order of ld. Court, petitioner/husband is very much negligent to pay the arrear amount of Rs.3,45,000/- towards maintenance pendente lite and in this facts and situation he prays for a direction upon the petitioner/husband to pay the aforesaid arrear amount to the respondent/wife.

Ld. Counsel representing the petitioner/husband by filing a written objection has denied and disputed the contents of the instant petition . It is submitted by ld. Counsel that against the order of ld. Trial Court passed in Misc. Case-155/22 directing the petitioner/husband to pay a sum of Rs.15,000/- towards maintenance pendente lite to the respondent/wife, a C.O being No-907/23 has been filed before Hon'ble Court Calcutta and in the said proceedings Hon'ble Court Calcutta vide order dtd 6.12.23 has been pleased to direct the petitioner/husband to pay a sum of Rs.10,000/- per month from December 2023 as maintenance pendente lite within January, 10th 2024 and month by month within 10th of every succeeding month. Hon'ble Court Calcutta further directed to pay ad hoc amount of Rs.60,000/- towards arrear on and from the date of filing of the Misc. Case to November 2023 in two equal monthly installments and the first installment will be paid within January 10th 2024 and the next within February 2024 along with the current maintenance amount and by the said order Hon'ble Court further pleased to hold that the order dtd 9.2.23 shall remain stayed upon compliance of the above direction and in case of default, the stay will automatically stand vacated. It is further submitted by ld. Counsel that petitioner/husband has fully complied with the order of Hon'ble Court and if any amount becomes due, the respondent/wife will be at liberty to take other legal steps for recovery of the said amount and in this facts & circumstances

he prays for an order of instant rejection.

Ld. Counsel in course of hearing also draws attention of this court to the order dtd 6.12.23 of the Hon'ble Court passed in C.O-907/2023.

On perusal of the order of the Hon'ble Court, this court finds substance in the submission advanced by ld. Counsel for the petitioner/husband . Nothing has been placed from the side of the respondent/wife to substantiate that the petitioner/husband has failed to comply the order of the Hon'ble Court passed in C.O-907/2023.

Thus in view of this, the instant petition being without merit stands rejected on consent.

Fix 11.3.2025 for evidence.

Ld. Counsel for both the parties are requested to proceed with the trial of the instant matrimonial suit positively on next date fixed keeping in mind that the instant matrimonial suit has been arisen in the year 2021.

D/corr by me,

4th ADJ, Alipore.
(J.O Code-WB00705).