

**MAT Suit No: 2561 of 2019**  
**(CIS No.2561/2019)**  
**Present: Subhra Som Ghosal [J.O Code: WB00984]**

Order no. 19, dated: 03.10.2023.

The petitioner as well as the respondent, in order to mark their presence before this court have filed their respective haziras through their respective Ld advocates.

As stipulated by the previous order today is fixed for framing of issues. On query by this court, it is found that no element of settlement is found to be acceptable by the parties. Thus at this stage section 89 of the CPC read with Civil Procedure Alternative Dispute Resolution Rules, 2006 could not be invoked.

Hence, the record is taken up for framing of issues. The pleadings as filed by both parties to this litigation are meticulously scrutinized in juxtaposition with the documents relied.

Heard both the Ld. Lawyers for the claimant and the respondent.

In order to sum up the points of controversies between the parties and fix the fact in issue, as well as to fulfill the requirement of law, issues are framed in a separate sheet and kept with the record. 6 (six) no of issues are framed. To avoid any future complication the issues framed today are reproduced herein below:

1. Has the petitioner any cause of action to file this suit?
2. Is this suit maintainable in the present form and prayer?
3. Is the suit barred by Law of Limitation ?
4. Whether the ground as manifested by the petitioner/husband actually exists or not?
5. Is the petitioner entitled to get any decree as prayed for ?
6. To what other relief or reliefs is the petitioner entitled to ?

Let the trial of this case be commenced. Petitioner is to come ready with his evidence on the date fixed.

Fix 29.01.2024 for P. hearing.

Typed and printed by me;

Sd/- Subhra Som Ghosal

Additional District Judge  
1<sup>st</sup> Court, Alipore

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