

MAT Suit No: 3248 of 2022
CNR No.WBSP01015393-2022
(R No.3248/2022)
Present: Subhra Som Ghosal [J.O Code: WB00984]

Order no.08 dated: 04.01.2024

The petitioner in order to mark his presence before this court has filed haziras through his respective Ld advocate.

The respondent is absent by filing a petition through her learned advocate.

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. 5 (five) no of issues are framed. To avoid any future complication the issues framed today are reproduced herein below:

1. Is the suit maintainable in its present form and in law ?
2. Whether the petitioner deserted by the respondent ?
3. Whether the petitioner has been tortured by the respondent mentally and physically ?
4. Whether the petitioner has been sexually deprived by the respondent ?
5. In 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 16.02.2024 for P. hearing.

Typed and printed by me;

Sd/-Subhra Som Ghosal
Additional District Judge
1st Court, Alipore

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