

Matrimonial Suit No. 90 of 2021
(R- 299 of 2021)
(CNR No. WBSP070017812021)
(J.O. No. WB00702)

Order No.09 dated 25.07.2022

This day is fixed for hearing of a petition dated 10.06.2022 filed by the respondent/wife namely Aachal Chowdhury wherein she prayed for vacating the order of hearing ex parte of the suit on the ground stated therein.

Perused the petition along with the record.

Heard ld. advocate for the respondent/wife.

On repeated calls none appears on behalf of the petitioner/husband.

The petitioner/husband is absent without steps.

It is now 11-30 A.M.

In view of catena of decisions of our Hon'ble Apex Court wherein the Hon'ble Apex Court was pleased to opine that the disposal of the suit/case on contest is preferred for ex parte hearing. Not only that in the instant suit, the respondent/wife has assigned good cause for her non appearance before this Court on the previous occasion. Hence, I find no bar to allow the instant petition.

Accordingly, the instant petition dated 10.06.2022 is hereby allowed but without cost in the absence of the petitioner/husband. The order passed by this Court on 04.04.2022 is hereby set aside.

Fix **10.11.2022** for appearance of both sides. Inform ld. advocate for the petitioner/husband at once.

Dicttd & Corttd by me
Sd/-Bibhas Chatterjee
Addl. District Judge,
2nd Court, Sealdah.

Sd/-Bibhas Chatterjee
Additional District Judge
2nd Court, Sealdah