

CNR WBUD01-000307-2021, J.O. CODE WB01014  
MAT-23/21

23/19.9.24

Today is fixed for awaiting order of Misc case no. 26/21.

Both the petitioner and the OP file hajiras through their Ld advocates.

The petitioner is also present in person.

Ld Advocate for the petitioner submitted that he has newly appointed in this suit by the petitioner and from his client, he came to know that previously the matter was settled between the parties in presence of the Ld Mediator at the Mediation Centre of DLSA, Raiganj on 28.07.22 and both the parties were agreed to live together as husband and wife peacefully. Ld Advocate further submitted that in spite of such settlement, the suit is proceeded before the court along with one Misc case between the parties. Ld Lawyer prayed for necessary order.

Ld Advocate for the OP /wife admitted that the dispute between the parties were settled previously through mediation but due to non willingness from the end of the petitioner the settlement could not be materialized.

Hd. Perused the materials on record. Considered.

It appears to me that there is a chance reconciliation between the parties to settle the dispute. Hence, both the parties are directed to remain present before the court on the next date fixed.

Fix 29.11.24 for hearing/ reconciliation in presence of both sides.

Dictated by me

Judge

ADJ, FTC-I, Raiganj, U/D.

Letter no.      Date.

Copy forwarded for information  
and necessary action, to :-

The    Secretary,    DLSA,    Uttar  
Dinajpur

ADJ,FTC-

I,Raiganj, U/D.

CNR WBUD01-002190-  
2022, J.O. CODE WB01014

MAT-223/22

08/21.03.24

Today is fixed for exparte hearing of this case.

Ld advocate for petitioner files hajira along with examination chief of PW1 with affidavit and one photocopy of the Aadhar card of the petitioner. Seen . Let those be kept with the record.

At this stage, the OP files the

W/S with affidavit alongwith two separate petitions :-

a) For taking off the matter from PH Board and

b) For accepting the W/S by vacating the exparte order.

Copy served. Strong objection raised.

Heard both sides. Perused the case record.

At the time of hearing Ld Advocate for OP/wife prays for giving one opportunity to contest this suit on the ground that the latches on the part of the petitioner/ OP was unintentional and if the prayer is not allowed , she will suffer irreparable loss and injury.

Ld. Advocate for the petitioner/

husband submitted that in spite of several opportunities, the OP did not file W/S within time and today the prayer is made only to delay the matter. Ld Advocate prayed for rejection of the application and also submitted that if prayer is allowed, exemplary cost should be imposed.

In view of the submission made before me, it appears that the OP /wife intends to contest the suit but she filed W/S after laps of nearly 10 months since her appearance in this suit.

As such I am of the view that an opportunity should be given to OP to contest the case but with cost. So, the prayer of OP

is considered and allowed with a cost Rs.500/-, payable to the DLSA, Uttar Dinajpur.

The exparte order dt.19.12.23 is vacated accordingly.

The W/S filed by OP/wife will be accepted on payment of cost.

Fix 15.05.24 for payment of cost by OP and framing of issues.

Dictated by me

Judge

ADJ,FTC-

I,Raiganj, U/D.