

**Mat. Suit No.-591/2012 (CIS No. 1529/2014)**  
**C.N.R. No.-WBWM01-001223-2012**

**Present: Sri Asis Kumar Mukherjee (JO Code WB00771)**  
Additional District Judge,  
4<sup>th</sup> Court, Paschim Medinipur.

Order No. 85 dated 06.01.2025

Both the parties file Ld. Advocates' hazira.

The show cause petition, the petition for vacating the order for ex parte hearing and the petition for recalling P.W.-1 all dated 20.09.2024 and the show cause petition dated 08.11.2024 filed by the respondent/wife are taken up for hearing simultaneously as all the petitions are connected with one another.

Heard.

Considered.

Ld. Advocate for the respondent/wife submits that the respondent/wife is very much willing to contest the instant suit. He further submits that vide the order no. 47 the instant suit was stayed for non-payment of the alimony pendente lite by the petitioner/husband and vide the order no. 81 dated 16.03.2024 the stay was vacated after the petitioner/husband liquidated the entire arrear alimony pendente lite. Ld. Advocate for the respondent/wife further submits that it was not within her knowledge that the stay of the suit has been vacated and due to her ignorance she did not take any steps on 15.05.2024 and the matter was fixed for ex parte hearing.

Ld. Advocate for the petitioner/husband submits that the respondent/wife is intentionally dragging the case for an unlimited period of time.

Perused the materials on record.

On such perusal I find that it is a fact that, vide the order no. 47 dated 14.06.2018 the suit was stayed for the non-payment of the arrear alimony pendente lite and vide the order no. 81 dated 16.03.2024 the stay was vacated. Since the respondent/wife is inclined to contest the suit, this Court is of the view that she should be given the opportunity to contest the suit.

The show cause is found satisfactory and the same is accepted. Accordingly, the petition for vacating the order fixing the suit for ex parte hearing is vacated and the petition for recalling P.W.-1 are allowed.

P.W.-1, namely, Subrata Pal, is recalled.

Fix **01.02.2025** for cross-examination of P.W.-1.

Both the parties are directed to come ready.

Dictated and Corrected by me.

Additional District Judge,  
4<sup>th</sup> Court, Paschim Medinipur

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