

Mat suit 44/2025

Order No. 05 dated 25.04.2025.

Petitioner has filed a petition to allow him to deposit Rs. 26,000/- to the petitioner as part payment. The petition is taken up.

Heard. Perused the petition and other materials on record.

Petitioner paid an amount of Rs. 26,000/- to the petitioner.

Respondent files a payment receipt of Rs 26,000/-. Let it be kept with the record.

Both sides are ready. Today is fixed for hearing of 08.04.2025 and 12.03.2025.

heard both sides in court by petition dated 12.03.2025 respondent has prayed for stay of the further proceedings until the arrear alimony pendente lite is clear in full. On the other hand by the petition dated 08.04.2024 the petitioner has prayed for early disposal of this suit.

I have gone through previous records. It is fact that the arrear alimony pendente lite is not been clear in full till date. But going through record it does not appear to this Ld. Court that the petitioner has no intention to clear the arrear alimony and he is trying his best to clear the same. Right now the suit does not deserve to be stayed. Considering such facts and circumstance the petition dated 12.03.2025 is dismissed with observation that the petitioner must try to clear arrear pendente lite alimony at the earliest in default the respondent may file fresh application in this regard and the matter would be consider thereafter.

As regarding the petition dated 08.04.2024 it is observed that this Ld. Court would make reasonable endeavour to dispose over this suit early.

The petition dated 08.04.2024 is also disposed off.

To 16.05.2025 and 17.05.2025 for cross examination of Respondent DW1. Both sides are to be remain ready.

**Judge, Family Court,
Jhargram.**

Order No. 06 dated 25.04.2025.

Today is fixed for cross examination of Respondent DW1. Petitioner Dhritigobinda Basuri is physically present in the court with his Ld. Council who is assisting him as his next friend, on the other hand respondent Aparna Ghosh is absent and Ld. Adv who is also representing her as her next friend has filed a petition is stating that she is in Kolkata and is undergoing treatment with bed rest. Two copies of prescription have been annexed with her prayer for adjournment. Strong objection is raised on behalf of the petitioner against adjournment in view of previous order.

Even it is submitted that today also petitioner is intended to paid Rs.26000/- to the respondent. I have gone through the copies of prescriptions filed it has been rightly pointed out that in both the proscriptions signature attested by the concerned doctors. It appears that this prescriptions are not supported by any specific certificate by such doctors and also certain histories likes only hyper acidity, general weakness, headache and vomiting etc have been reported and no serious illness is reflected as such prescription. In the opinion of this ld. Court in view of previous order dated 25.04.2025 the respondent would have remain present before this court specially when two consecutive dates were fixed for cross exam of respondent dw1.

It has been submitted on behalf of petitioner that the cross examination of DW1 be closed. In the opinion of this Ld. Court. Considering this is a matrimonial suit filed by husband against his wife, it would not be appropriate to closed the cross exam of Respondent OPW1 and passed judgment instantly on basis of evidence and record.

It would be appropriate to give another opportunity to the respondent to face the cross examination and also adduce evidence on behalf if any.

Fix: 20.06.2025 and 21.06.2025 for cross exam of D.W.1 and O.P.W, if the respondent fails to get ready the cross examination would be closed. Be it mentioned that it has been submitted by the petitioner he intended to pay the arrear alimony directly the respondent in the next date when she would be present. Tomorrow's cross examination would be closed.

**Judge, Family Court,
Jhargram.**