

23<sup>rd</sup> March,  
2026  
(AK)  
17

**F.A. 369 of 2025**  
**IA No: CAN 3 of 2025**  
**CAN 4 of 2025**  
**CAN 5 of 2025**

Sanchita Auddy  
Vs.  
Sanjay Auddy

Mr. Rabindra Narayan Dutta  
Mr. Sibasis Ghosh  
Mr. Ardhendu Nag  
Mr. Soham Banerjee

...for the appellant.

Ms. Sulagna Mukherjee  
Mr. Soumik Chakraborty  
Ms. Mihika Roy

...for the respondent.

1. In our order dated March 19, 2026, we had directed alimony to be paid by the respondent/husband to the appellant/wife at the rate of Rs.30,000/- per month for the minor daughter and Rs.10,000/- per month for the appellant/wife as well as litigation costs of Rs.10,000/- to be paid at a time.
2. Learned counsel for the parties rightly point out that in the said order, it was not specifically mentioned as to from which date the alimony is required to be paid, nor whether the amounts already paid by the respondent/husband to the appellant/wife from time to time at the old rates and on ad hoc basis would be adjusted with arrears.

3. Accordingly, we modify the order dated March 19, 2026 to the limited extent that the alimony as directed therein shall be paid by the respondent/husband, at the rate as directed therein, from the month of filing of the application, bring CAN 1 of 2025.
4. Moreover, the arrears of alimony, if any, from the said month of filing of CAN 1 of 2025 till March 2026, shall be adjusted with the amounts already paid by the respondent/husband to the appellant/wife by way of maintenance in the interregnum, from the date of filing of CAN 1 of 2025 till date.
5. In the event after deducting such amount, further balance arrears remain, the same shall be paid by the respondent to the appellant by the end of April, 2026.
6. In the event the converse happens, that is, the amount already paid is higher than the alimony payable till March, 2026, such balance sum shall be adjusted from the alimony payable to the appellant/wife for the upcoming three current months.
7. The first of such current instalments shall be paid for the month of April, 2026 by the end of April, 2026 and thereafter by the last day of each current month.

8. The litigation costs as directed in the order dated March 19, 2026 shall be paid by the respondent to the appellant by the end of April, 2026.
9. CAN 3 of 2025 is an application for further cross-examination of PW1 and PW2, CAN 4 of 2025 is for production of additional evidence and CAN 5 of 2025 is for amendment of the written statement filed by the appellant/wife in the trial court.
10. Since all the said applications are of such a nature that those should be heard along with the appeal, we direct the said applications, being CAN 3 of 2025, CAN 4 of 2025 and CAN 5 of 2025, to be heard along with the appeal.
11. Since affidavits-in-opposition have already been filed to the said applications, the time for filing affidavits-in-reply in respect of the said applications is extended for a fortnight from date.
12. In view of the appearance of the respondent through his learned Advocate, service of notice of the appeal on the respondent is dispensed with and the appeal be treated to be ready as regards service.
13. The trial court records shall be brought by special messenger at the cost of the appellant, to be deposited within a fortnight from date.
14. The appellant shall prepare and file the requisite number of paper books within eight weeks from the date of service of notice of arrival of the trial court records on the learned Advocate for the appellant.

15. Liberty to the parties to mention the appeal and the pending applications for inclusion in the list as and when the appeal is ready for hearing.

**(Sabyasachi Bhattacharyya, J.)**

**(Supratim Bhattacharya, J.)**