

M/L.68.
November 4, 2024.
MNS.

FAT 178 of 2024
+
CAN 2 of 2024

Sudip Datta @ Sudip Kumar Datta
Vs.
Mitali Datta

Mr. Billwadal Bhattacharyya,
Mr. Anish Kumar Mukherjee,
Mr. Tamoghna Pramanick

... for the applicant/wife.

Re: CAN 2 of 2024

1. Affidavit-of-service filed in Court today be kept on record.
2. Despite service, none appears for the appellant/husband. Although the application has been couched as one for “appropriate orders” seeking continuation of the payment of maintenance by the husband as paid by him during pendency of the suit, the crux of the prayer makes the application as also one for maintenance and as such, the applicant/wife is required to file her current affidavit-of-assets as well.
3. Accordingly, the applicant/wife is directed to file her affidavit-of-assets in support of the application for within a fortnight from date and serve an advance copy of the same on the appellant/husband, directly and/or through his learned counsel in this court, and file an affidavit-of-service to that effect on the next returnable date.

4. The husband shall file an affidavit-in-opposition to the application as well as his affidavit-of-assets within a fortnight thereafter. Affidavit-in-reply thereto, if any, shall be filed by the applicant/wife within a week thereafter.

5. The matter shall next be listed for hearing on December 9, 2024.

6. The appellant shall, if not already filed, furnish a certified copy of the impugned decree in the meantime.

(Uday Kumar, J.)

(Sabyasachi Bhattacharyya, J.)