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C.O. 3522 of 2022

**Smt. Arpita Chatterjee
Vs
Sudipendra Nath Chatterjee**

Mr. Basudeb Gayen,
Mr. Tapan Kumar Jana,
... For the petitioner.

Mr. Rupak Ghosh,
... For the O.P.

The subject matter of challenge in this case is against the order dated 7th November, 2022 declining to grant stay of the proceedings of Matrimonial Suit, due to failure of alimony pendente lite by the husband to wife.

Mr. Basudeb Gayen, learned advocate appearing for the petitioner drawing attention of this Court to order dated 19th December, 2019 passed in C.O.4053 of 2019 submits that the direction passed by this Court, as an interim arrangement, requiring the husband to pay Rs. 15,000/- per month till the decision, has not been complied by the husband, and as a result of which, the petitioner/wife is in financial distress.

Mr. Rupak Ghosh, learned advocate appearing for the opposite party/husband disputes with the submission, replying to the effect that the husband is not in a position to pay Rs. 15,000/- per month towards alimony pendente lite, as an interim arrangement, in compliance of the order dated dated

19th December, 2019 passed in C.O.4053 of 2019.

It is further disclosed that in terms of the direction passed by this Court, the Court is in the midst of collection of evidence, adduced by the husband, which is relatable to the prayer for reduction/modification of quantum of alimony pendente lite. It is at the stage of cross-examination.

The matter needs further consideration.

List the matter in the first week of February, 2023.

Pendency of this application will not, however, prevent the husband to ensure compliance passed in C.O.4053 of 2019 till such period of time.

(Subhasis Dasgupta, J)