

12.09.2024
Sl. No.45
Court No.3
Sk/sg.

**IN THE HIGH COURT AT CALCUTTA
CIRCUIT BENCH AT JALPAIGURI**

**C.O. 161 OF 2024
Moumita Chaki Chowdhury
Vs.
Sib Sakti Chowdhury**

Mr. Subhasish Misra
Mr. Satyajit Paul.for the petitioner

The petitioner/wife is aggrieved that the impugned order of Additional District Judge, Fast Track Court, Cooch Behar dated June 29, 2024 in Misc. (J) No. 1 of 2024 in connection with MAT Suit No.156 of 2023 is not maintainable insofar as the same has been passed by non-consideration of the attending facts and circumstances regarding actual income of the present opposite party and, therefore, in the same, the court has come to an opinion for payment of Rs.2000/- per month as alimony pendente lite which is determined, not in terms of the settled principles of law for payment of alimony pendente lite to the wife.

Mr. Misra appearing for the petitioner would seek that the order as above be set aside.

Let a notice be served in this case upon the opposite party/ plaintiff in the said suit and affidavit of service be filed in Court.

Let this matter be adjourned today and placed before the next Circuit Bench.

Till the date the matter is taken up by the Hon'ble Bench, let there be an order of stay of all further proceedings in connection with MAT Suit No.156 of 2023.

(Rai Chattopadhyay, J.)

