

Sl.13
16.04.2025
Court No.6
BP

C.O. 1093 of 2025

Swetlina Ghosh
-versus-
Subhradeep Das

Mr. Sabir Ahmed
Mr. S. Biswas
Mr. Dhiman Banerjee
..for the petitioner

Mr. Mohammed Tarique Masood
Mr. Mustafijur Rahaman
Mr. Sajal Singh
Mr. Sourav Pal
..for the opposite party

When this matter is taken up for hearing the learned advocate appearing for the opposite party appears and prays for direction to serve a copy of this application upon him.

Learned advocate on record for the petitioner is directed to serve a copy of this application upon the learned advocate appearing for the opposite party immediately.

This application under Article 227 of the Constitution of India is at the instance of the wife and is directed against an order no.27 dated January 14, 2025 passed by the learned Additional District Judge, 5th Court at Barasat, North 24 Parganas in Matrimonial Suit No. 146 of 2019.

By the order impugned the cross-examination of P.W.-1 was closed after rejecting the prayer for adjournment at the instance of the wife/petitioner herein.

Learned advocate appearing for the petitioner submits that on account of illness of the wife/petitioner herein an adjournment was sought for by the learned advocate for the wife in the matrimonial suit.

Learned advocate appearing for the opposite party vehemently opposes the prayer of the petitioner. He submits that the suit is of the year 2019 and the petitioner is trying to drag the instant matrimonial suit.

Taking into consideration of the fact that the suit is a matrimonial suit and an adjournment was sought for on the ground of illness of the wife/petitioner herein, this Court is of the considered view that a last opportunity should be given to the wife/petitioner herein to cross-examine the P.W.-1.

It has been uniformly submitted by the learned advocates for the respective parties that 23rd June, 2025 is the date fixed for further evidence of the plaintiff's witness. In the light of the aforesaid submissions, following directions have passed:

- (1) On the next date fixed i.e. on 23rd June, 2025 the wife respondent shall cross-examine the P.W.-1 and the learned trial Judge shall make an endeavour to see that the cross-examination is concluded on the said date. If for some reason

the same cannot be concluded on that day, a short date for further cross-examination shall be fixed by the learned trial Judge and the cross-examination of P.W.-1 shall be completed expeditiously.

- (2) After completion of cross-examination of P.W.-1 the learned trial Judge shall proceed with the hearing of the suit in accordance with law.

With the above observations and directions, C.O. 1093 of 2025 stands disposed of.

No order as to costs.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Hiranmay Bhattacharyya, J.)