

Item No. 13
12.12.2025
Court. No. 6
GB

C.O. 4095 of 2025

Komal Tiwari (Mishra)
Vs.
Amitabh Tiwari

*Ms. Priyanka Jana,
Mr. Sumit Misra,
Mr. Bikramajit Mandal*

...for the Petitioner.

1. The petitioner is the wife. The petitioner is aggrieved by an order dated September 12, 2025, passed by the learned Additional District Judge, Fast Track, 2nd Court at Howrah in Matrimonial Suit No.161 of 2023.
2. By the order impugned, the learned court accepted a belated written statement, almost two years after the filing of the suit. The suit had been fixed for ex parte hearing and had proceeded substantially. At such a juncture, the husband filed an application for removal of the suit from the ex parte board and for acceptance of the written statement. The court allowed such prayer upon payment of cost.
3. It is submitted by Mrs. Jana, learned advocate for the petitioner that the husband had intentionally delayed the proceeding and harassed the wife to the extent that the court had no other alternative, but to fix the suit for ex parte hearing.
4. Under such circumstances, this Court has been approached to consider the predicament of the wife and to set aside the order by which the written statement was accepted after two years.

5. This is a suit for divorce, inter alia, on the ground of cruelty. The suit for divorce has far reaching consequences. It has a social impact. The allegations cannot be permitted to go uncontroverted. Thus, in my view, the learned court did not err in allowing the husband to contest the suit by accepting the belated written statement. Cost was awarded in favour of the wife. However, the harassment of the wife, who has been running from court to court is also to be looked into.
6. Under such circumstances, the learned judge is requested to dispose of the suit within a period of six months by fixing short dates and without granting any adjournment to the husband, unless absolutely necessary.
7. Accordingly, the revisional application is disposed of.
8. Parties are directed to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)