

**Misc.(J) Case No. 41/2021**

**ORDER**

**08-09-2022**

Learned counsel for both sides are present. Today is the date fixed for filing written objection by OP but no objection has been filed. Learned counsel for the OP sought another date for filing written objection.

Even otherwise, on perusal of the case record, it transpires that the petitioner filed another Misc.(J) case in this court being Misc.(J) Case No. 42/2021 u/s 36 of Special Marriage Act, 1954 praying for maintenance pendent-lite and expenses of the proceeding which is going on. At the same time, the present application has been filed u/s 37(1) of Special Marriage Act, 1954 praying for permanent alimony.

The relief for permanent alimony can be granted by the court at the stage of final disposal of the matrimonial proceeding depending on the income status etc of the parties. Since main divorce proceeding is now pending decision, the present petition No. 1897/2021 filed u/s 37(1) of Special Marriage Act, 1954 is required to be decided at the end of the trial.

Therefore, this Misc.(J) case is stayed till the main divorce proceeding is decided on merit.

**(C.B. Gogoi)**  
District Judge  
Sonitpur, Tezpur