

Present: Arpita Ghosh, ADJ, FTC-4, Barrackpore (J.O.Code WB 00907)

Order no. 04

Dated 16.07.2026

Today is fixed for ex-parte hearing. Petitioner along with her Ld. advocate are present. The case record is now taken up for exparte hearing. Affidavit in chief of petitioner/wife, Ipsita Nath Paul is tendered today and she is examined as witness no.1.

For speedy disposal the case record is now taken up for passing order.

This is a suit for restitution of conjugal right u/s 22 of Special Marriage Act,1954, filed by the petitioner/wife namely, Ipsita Nath Paul against her husband/respondent namely, Aswini Nath.

The facts of this case in brief, is that the marriage of the petitioner with the respondent was registered on 22.01.2017 according to Special Marriage Act,1954 and socially performed thereafter as per Hindu rites and customs. After marriage they started to lead their conjugal life at her matrimonial home which is within the jurisdiction of this Ld. Court. The further case of the petitioner is that the respondent left his house. The petitioner still wants to lead her happy conjugal life with the respondent. Hence this suit.

In order to prove her case the petitioner examined herself as P.W.1. Perused the unchallenged evidence of the petitioner where from it appears that the respondent being the legally married husband of the petitioner has withdrawn himself from the society of the petitioner without any reasonable cause. The petitioner's case has been proved from her exparte evidence. There is nothing to disbelieve the unchallenged evidence of the petitioner. So, I think that the petitioner is entitled to get a decree as prayed for.

C.F. paid is correct.

Hence, it is

O r d e r e d

that the suit be and the same is decreed exparte without cost.

The petitioner do get a decree of restitution of conjugal rights against the respondent u/s 22 of Special Marriage Act,1954.

The respondent Aswini Nath is directed to return and resume conjugal life with his wife Ipsita Nath Paul.

Corrected by me.

A.D.J, FTC-4,BKP.

Additional District Judge,
FTC 4th Court, Barrackpore.