

Mat Suit 2777/2023

WBSP010-12798-2023

Dated : 21.3.2024

Today is fixed for reconciliation and hearing.

Parties are present with respective counsels.

Now the record is taken up for passing order in respect of the Mat Suit for mutual divorce.

They also filed their respective evidence in chief by swearing affidavit and examined as Petitioner No.1/ wife and Petitioner No.2/husband. I have also hd the Id. Counsels at length.

Perused the plaint as well as other materials on record including oral testimonies of both the petitioners.

This suit being one for dissolution of marriage by a decree of divorce on mutual consent. I have made sincere effort to sort out their dispute and reconcile between them. But the petitioners are found not interested and not willing to live together any more due to differences in their tastes, preferences, temperament and attitude as married couple and, therefore, the talk on reconciliation fails.

Both the petitioners are examined on oath.

Perused the evidence in chief of the petitioners on affidavit .

The marriage between the parties was duly solemnized on 16.4.2005 as per Hindu Rites and Customs at Dakshin Radhanagar Uttarpara, P.O- Dakshin Radhanagar, P.S Gosaba, District South 24 Parganas, Pin-743378.

After their marriage both the petitioner No.1 and petitioner No.2 lived together as wife and husband at Dakshin Radhanagar Uttarpara, P.O- Dakshin Radhanagar, P.S Gosaba, District South 24 Parganas, Pin-743378 under the jurisdiction of this Court. The said marriage was consummated and out of their wedlock two female child namely Rimi Mondal and Rina Mondal were born on 23.4.2006 was born who will stay under the care and custody of his father, Petitioner No.2/husband.

That for the past few years of their marriage dispute and differences between them cropped up in respect of their views, attitude and livelihood towards life and society and their differences increase day by day and they both felt impossible to reside with each other further .

It appears that the petitioners started to reside separately from 16.5.2017 under the jurisdiction of this court and there is no chance of reconciliation or re-union between them.

During examination of the parties on dock both admitted the marriage as well as other

facts related thereto and that upon failing of reconciliation, they agreed to sever the relationship by a decree of divorce on mutual consent. Further both have agreed to have no allegation or claim upon each other and they inclined to sever the nuptial tie.

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It appears from the materials available on record that no fraud, coercion or collusion is there in between the parties in filing this suit. In view of the above circumstances, I find no impediment to allow the prayer.

The suit has proper jurisdiction and is maintainable in its present form.

C.F paid are sufficient.

Hence, it is,

ORDERED

that the Mat Suit being No. 2777/23 U/s. 13B Hindu Marriage Act, 1955 be and the same is decreed on mutual consent.

The parties do get a decree of divorce on mutual consent and the marriage subsisting between the parties Smt. Arati Mondal (Khajanchi) and Kanak Mondal solemnized on 16.4.2005 according to Hindu Rites and Customs stands dissolved by a decree of divorce on mutual consent and the marital tie between them does stand severed from the date of this order .

Parties do bear respective costs.

Decree be drawn up accordingly.

D/corr by me,

4th A.D.J, Alipore.

(J.O Code—WB00729).