

**IN THE COURT OF THE ADDITIONAL DISTRICT JUDGE,
1ST COURT, ALIPORE, SOUTH 24-PARGANAS**

**Present : Rajesh Chakraborty (J.O. Code : WB00764)
ADJ, 1st Court, Alipore, South 24-Parganas**

Mat Suit No. 77 of 2026

Sarmistha Das Halder W/O. Santanu Halder
residing at 49/G, Matheswartala Road, P.S. Pragati Maidan, Kol - 46.

..... Petitioner No. 1

Vs.

Santanu Halder, S/O. Late Mukunda Halder
residing at Garia Purba Pally Panchpota Rajpur Sonarpur,
Pin 700 152.

..... Petitioner No.2

Order No. 03, dated 09.07.2026

Today is fixed for hearing.

Parties file hazira and are present along with their respective
Ld. Advocates.

Petitioners are examined and documents has been marked as
Ext. 1 to 3.

Heard Ld. Advocates in full.

Perused. Considered.

The record is taken up now for passing order.

The petition filed U/s.13B of the Hindu Marriage Act, 1955 by
the petitioners Sarmistha Das Halder and Santanu Halder.

As per the petition, the marriage of the petitioners was
solemnized on 12.08.2021 in accordance with Hindu customary rites
and ceremonies. The petitioners started their conjugal life as husband
and wife. Their marriage was duly consummated and one male child
namely Som Halder was born out of their wedlock. But with the
passage of time, the relation between the husband and wife got

deteriorated and they faced problem in adjusting to the mental thinking, opinion and the standard of life leading to total incompatibility with each other. The parties eventually started living separately since 03.05.2025 and all attempts for resolving the dispute and talks of negotiation was failed. Ultimately the parties mutually agreed for dissolving their matrimonial relationship by way of mutual divorce by filing a petition U/S.13B of the Hindu Marriage Act.

In support of their petition both the petitioners were examined on dock. Petitioner No.1 Sarmistha Das Halder filed an affidavit-in-chief and is also examined on dock as P.W.1. She has filed the photocopy of her Aadhaar card as Exhibit 1 (checked and verified with the original) and photocopy of birth certificate of the minor child as Ext. 2 (checked and verified with the original).

Petitioner No. 2 Santanu Halder has filed an affidavit in-chief on his behalf and is examined on dock as P.W.2. In support of his identity, he has filed self-attested photocopy of his Aadhaar Card, marked as Exhibit 3 (checked and verified with the original).

Section 13(B) of the Hindu Marriage Act deals with divorce by mutual consent on the ground that the parties to the marriage have been living separately for a period of one year or more and that they have not been able to live together as husband and wife and have mutually agreed that the marriage should be dissolved by a decree of divorce. Proviso (2) of Section 13(B) of Hindu Marriage Act provides for a statutory limitation of six months for passing a decree from the date of presentation of the petition referred above.

In the instant case, the petition was filed on 07.01.2026 and the same came up to this Court for hearing on 09.07.2026 and petitioner nos.1 & 2 both have been examined on dock this day. Accordingly the statutory limitation period of six months cooling off has already expired and on careful perusal of the petition as well as evidence of

both the petitioner as P.W.1 and P.W.2 and the exhibited documents and examining them on dock, I am satisfied that the marriage has been solemnized between the parties and subsequent facts of disharmony, matrimonial dispute and irretrievable breakdown of marriage alleged to be true. As such it is a fit case to pass a decree for dissolution of marriage on mutual consent U/s.13B of Hindu Marriage Act.

Court Fee paid is sufficient.

Hence, it is,

ORDERED

that the Matrimonial Suit being No. 77/2026 be and the same is decreed U/S.13B of the Hindu Marriage Act, 1955.

The marriage between Smt. Sarmistha Das Halder and Sri Santanu Halder solemnized on 12.08.2021 as per Hindu Marriage Act is hereby dissolved by a decree of divorce on mutual consent with immediate effect i.e., from 09.07.2026.

There shall be no order as to costs.

Let the decree be drawn accordingly.

The instant Mat Suit is, thus, disposed of.

Note in the relevant Register and CIS.

Dictated & corrected by me

Additional District Judge,
1st Court, Alipore

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