

MAT SUIT No. 189 / 2022

Reg. No. 189 / 2022

Present : Sri Anuruddha Maity, A.D.J., Bishupur

Order No. 03 Dtd. 06.03.2023

The suit is posted for appearance, reconciliation and hearing.

Both the petitioners namely Sri Debdas Koley and Smt. Puja Maur appear before this court along with their respective Ld. Advocates. Both the parties have filed their respective affidavits in chiefs today.

I made an utmost endeavor to re-conciliate the dispute between the parties but they are so rigid and thereby they are not ready to settle the dispute between them and they have prayed for dissolution of their marital life.

Accordingly, both the petitioners Sri Debdas Koley and Smt. Puja Maur are placed on witness box and they are further examined as PW1 & PW2 respectively but other side decline to cross examine the witness.

Now the record is taken up for passing the order.

This is a case u/s. 13B of H.M. Act where both the petitioners have prayed for dissolution of their marriage on mutual consent. The factual aspect of this case is that marriage of both the petitioners namely Sri Debdas Koley and Smt. Puja Maur was solemnized on 19.04.2019 according to Hindu rites and customs and they started to reside together as husband and wife. It is also apparent that they could not adjust with each other and for that reason they started to reside separately from 17.07.2021. There is no chance of reunion. Hence, both the petitioners have filed this petition praying for dissolution of their marriage by decree of divorce by mutual consent. It appears that they have claimed that there is no collusion between them in the matter of filing of the suit.

I have perused oral testimonies of both the witnesses.

On careful perusal of oral evidence, I find that they have proved their case as made out in the application u/s. 13(B) of Hindu Marriage Act. Both the petitioners have asserted that there is no collusion between them in the matter of filing the suit and the petitioners have been living separately from 25.08.2019 and there is no chance of reunion. I also have not found any legal impediment for not allowing their prayer.

In the circumstances, I am of view that the petitioners marriage should be dissolved by a decree of divorce by mutual consent.

In the result, this suit succeeds.

C.F. paid on the on the petition is sufficient.

Hence, it is

O R D E R E D

that the matrimonial suit being No. 189 / 2022 be and the same is decreed on consent. Parties do get a decree of divorce on mutual consent and the marriage subsisting between parties

namely Sri Debdas Koley and Smt. Puja Maur which was solemnized on 19.04.2019 stands dissolved by a decree of divorce on mutual consent and the marital tie between them do stand severed with immediate effect.

Dictated and Corrected by me

Addl. District Judge,
Bishnupur, Bankura.

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Bishnupur, Bankura.