

MAT SUIT No. 227 / 2022

Reg. No. 227 / 2022

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

Order No. 03 dtd. 09.06.2023

The record is put up today on a put up petition filed by the both petitioners. Both the petitioners namely Sri Subhankar Dey and Smt. Puja Dey are present before the court with their respective Ld. Advocates. They have appeared before this court after the expiry of six (6) months statutory period of cooling off.

The case is taken up for reconciliation. Both the petitioners submitted that it is not possible for them to live together as husband and wife and kind of reconciliation is not possible. Accordingly, the attempt of reconciliation stands failed.

Both the petitioners have filed their respective affidavit in chiefs and they have been examined as PW1 & PW2 respectively.

The case of the parties in brief is that the marriage of the parties was solemnized on 01.06.2014 according to Hindu rites and customs and they started to reside together as husband and wife. Out of their wedlock a female child namely Adrija Dey was born on 10.09.2015, who is presently in the custody of her mother ie the petitioner no.2. It is also apparent that they could not adjust with each other and for that reason they started to reside separately from 30.09.2020. 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.

On careful perusal of both oral and documentary 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 30.09.2020 and there is no chance of reunion. I also do not find that there is any legal impediment in not allowing the prayer of the parties.

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. 227 / 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 Subhankar Dey and Smt. Puja Dey solemnized on 01.06.2014

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.