

Mat Suit No. 2109 of 2022 (C-2131 of 2022)

Present: Mr. D. N. Roy Barman (WB00174)
Additional District & Sessions Judge,
2nd Court, Barrackpore,
North 24 Parganas.

Order no. 04
28.02.2023

Both petitioners are present.

Attempt for reconciliation fails. Hence suit is taken up for hearing.

Petitioner no.1 Sri Debabrata Saha tenders his statement of facts through affidavit. Statement of facts through affidavit of Sri Debabrata Saha is accepted as Evidence of P. W.1. He filed Aadhaar Card as proof of identity. Original Aadhaar Card is not detained as it is required day to day work and as such photocopy of Original Aadhaar Card is admitted into evidence as Exhibit-1 without formal proof and Marriage Registration Certificate be marked as Exhibit-2 without formal proof.

Petitioner no.2 Smt. Kaberi Saha (Ghosh) tenders her statement of facts through affidavit. Statement of facts through affidavit of Smt. Kaberi Saha (Ghosh) is accepted as Evidence of P. W.2. She filed Aadhaar Card as proof of identity. Original Aadhaar Card is not detained as it is required day to day work and as such photocopy of Aadhaar Card is admitted into evidence as Exhibit-1/1 without formal proof. Heard learned lawyers for both sides.

Now the record is taken up for passing order.

This is an application for Divorce on Mutual Consent under section 13B of the Hindu Marriage Act. It appears from the evidence of P. W.1 & 2 that they are parties to a Hindu Marriage and they have voluntarily decided to dissolved their marriage due to mental difference between each other. The act of parties are voluntarily and it ascertained that they decided to filed this application without any undue influence, duress. Hence the application under section 13B of the Hindu Marriage Act is allowed.

Hence it is,

Ordered

that the prayer for mutual divorce filed by the parties is allowed. The marriage tie between the parties is hereby dissolved by a decree of divorce on mutual consent.

The dissolution shall take effect from the date of decree.

Dictated & Corrected by me,

Addl. District & Sessions Judge,
2nd Court, Barrackpore.

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