



**IN THE COURT OF ADDITIONAL DISTRICT & SESSIONS JUDGE,
FAST TRACK COURT, DUBRAJPUR, BIRBHUM**

Present : Shri, Binay Kumar Nonia (JO No.WB01032)
Additional District & Sessions Judge,
Fast Track Court, Dubrajpur, Birbhum

Mat. Suit No. 89/2025

CNR No.WBBB090000512025

C.I.S. 13 of 2025

(Under Section 28 of Special Marriage Act)

Rudra Nath Basak Petitioner No.1.

Vs

Nisha Kora Petitioner No.2.

Order No. 04

Dated 24.09.2025

Today is fixed for appearance and reconciliation.

Both parties are present along with their lawyers by filing hazira.

Perused the record. Now, the Mat. Suit is taken up for reconciliation.

After prolonged discussion and talk between the parties, the reconciliation fails.

Now, the case is taken up for hearing. Petitioners files original marriage Certificate by fristi. Let it be kept in the record.

Both are examined as Petitioner no1 and 2 respectively and discharged.

Heard both sides. Considered

Now, the record is taken up for passing order. Perused the petition under section 28 of Special Marriage Act, and other materials on record, it appears that the instant Mat. Suit has been filed by petitioner No.1, **Rudra Nath Basak** and petitioner No. 2, namely **Nisha Kora** Under Section 28 of Special Marriage Act, praying for decree of dissolution of marriage registered on 22.07.2021 by way of divorce on mutual consent. The instant Mat Suit was filed by the parties before Ld District Judge, Birbhum at Suri on 24.03.2025. It was subsequently transferred the case record to this court for disposal. The fact of the case as narrated in the joint application for mutual divorce in a nutshell is that their marriage has been registered on 22.07.2021 under the Special Marriage Act.

Order No. 04

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Admittedly, both parties are married couple. After marriage, the parties of this suit lived together as husband and wife at the house of the petitioner no. 1. So, said marriage was duly consummated by way of cohabitation. They have no issue. But difference of opinion cropped up between the parties over the thoughts, ideas, habits and different temperament and nature with each other. So, parties have not been able to live together as husband and wife. They were living separately since 25.07.2021. Since the day of their separation several attempts were made to resolve the dispute and discord between the parties but in vein. Both husband and wife have been living separately since 25.07.2021 from each other. To avoid litigation between the parties both husband and wife decided to get their marriage dissolved by filing the joint application.

It further reveals from the record that six months have already been elapsed from the date of filing of the application Under Section 28 of Special Marriage Act. Moreover, the parties have been living separately for a period of more than one year as on date of filing of the case and they have not been able to live together for which they have mutually agreed to dissolve the marriage. It is established through their respective unchallenged testimony on oath that their consent is free, voluntary, not obtained by exercising undue influence, fraud and coercion. There is also no collusion between the parties. According, the prayer is allowed.

Court Fees paid is correct.

Hence, it is

ORDERED

that the instant Mat. Suit under Section 28 of Special Marriage Act be and the same is allowed on mutual consent. The marriage between Petitioner No. 1, **Rudra Nath Basak** and petitioner No. 2, **Nisha Kora** and registered on 22.07.2021 the Special Marriage Act is hereby dissolved by a decree of divorce under Section 28 of the Special Marriage Act on mutual consent. The petition under Section 28 of the Special Marriage Act dated 24.03.2025 be made part of this order. The order shall take effect immediately.

Dictated & corrected by me

Additional District Judge
Fast Track Court Dubrajpur Birbhum

Additional District Judge
Fast Track Court Dubrajpur Birbhum