

In the Court of Additional District Judge, Fast Track Court, Kalna, Purba Bardhaman

Mat Suit no. 255 of 2025 (CIS Regd No. 255 of 2025)

C.N.R. WBBD11-000443-2025

Present : Sri Anirban Ray, Addl. District Judge, FTC, Kalna, Purba Bardhaman

(J.O. Code-WB00829)

Petitioner No. 1... Wife.....Usha Rani Roy,

--Versus--

Petitioner No. 2....Husband.....Bipul Kundu

(u/s 28 of Special Marriage Act, 1954).

Order No. 07 dated 12-06-2026

Ld. Advocate for both the Petitioners file respective haziras.

Today is fixed for passing order in connection with this suit.

As per materials on record the plaint was filed on 12-06-2025 u/s- 28 of Special Marriage Act, 1954 by both the petitioners.

This Court sent the case for mediation between the parties in presence of their respective Advocates. In spite of appropriate effort by this Court the mediation fails and both the parties and their Ld Advocates prays before this Court to take up the hearing of this case.

Both the parties filed their respective written examination in chief as per provision of under order 18 rule 4 of C.P. Code along with original and attested xerox copy of the identity proof. Parties are examined on dock as PW-1 and PW-2 respectively.

As per plaint, both the parties got married on 17-08-2023 as per Special Marriage Act 1954 before the Marriage Officer Mahuya Chattopadhyaya Sarkar at the residential house of the petitioner No. 1 at Village-Shyambati, P.O- Chakbamangoria, PS-Purbasthali, Dist-Purba Bardhaman and Marriage Certificate being No. WB33500204020400602920-2023-107266 dated 17-08-2023 was issued and the social marriage was held on 31-01-2024 at the paternal house of the petitioner No. 1. After marriage both the petitioners entered their conjugal live at the matrimonial house of the petitioner No. 1 and at the house of the petitioner No.2 and the said marriage was duly consummated. Owing to difference of temperament, habit and taste the relationship between the parties got strained and they started to reside separately since 19-05-2024 at their respective paternal house. Parties have understood that it is not for them to live as husband and wife anymore and so they filed the petition before this Court on 12-06-2025 u/s- 28 of Special Marriage Act, 1954.

Perused the Written examination in chief and the evidence on dock of the petitioner No. 1 as PW-1 and Petitioner No. 2 as PW-2. The same are in the tune

of the plaint.

The parties preferred to file the present suit after passing of more than one year of their marriage.

The present suit is filed after one year of the date from which the parties are residing separately.

It is also established that the marriage of the parties was held on 17-08-2023 as per Special Marriage Act 1954 before the Marriage Officer Mahuya Chattopadhyaya Sarkar at the residential house of the petitioner No. 1 at Village-Shyambati, P.O-Chakbamangoria, PS-Purbasthali, Dist-Purba Bardhaman and they are unable to reside together as husband and wife. The marriage between the parties was solemnized within the jurisdiction of this Court and the parties lastly resided together within the jurisdiction of this Court and so this Court have ample power to try the case.

There is no other issue before this Court to consider that the present suit is filed collusively by the parties.

In such circumstances there is nothing to disallow the prayer of the petitioners.

Court fees paid is correct.

Hence, it is,

O R D E R E D

that the Mat. Suit bearing No. 255 of 2025 filed u/s- 28 of Special Marriage Act, 1954 by both the petitioners be and the same is decreed on mutual consent. Accordingly the marriage between the petitioner No.1 **Usha Rani Roy** and petitioner No.2 **Bipul Kundu** solemnized on 17-08-2023 as per Special Marriage Act before the Marriage Officer Mahuya Chattopadhyaya Sarkar is hereby dissolved by the decree of divorce on mutual consent.

The Marriage Certificate being No. WB33500204020400602920-2023-107266 dated 17-08-2023 is hereby cancelled from the date of this order.

Let a copy of this order be forwarded to the Marriage Officer Mahuya Chattopadhyaya Sarkar being office address at Purbasthali Station Bazar, Kalna, Purba Bardhaman for information and necessary action.

True copies of this order be prepared simultaneously and B.C.-I is directed to supply true copies of the order to the parties against respective endorsement.

Dictated & corrected by me,

Addl. District Judge, F.T.C, Kalna

Addl. District Judge, F.T.C, Kalna