

Mat Suit No. 381 / 2024

Reg. No. 381 / 2024

Order No. 13 dtd. 09.04.2026

The suit is posted for passing order ex-parte.

This is a suit for dissolution of the marriage on the ground of cruelty filed by the **petitioner / wife Smt. Ratna (Biswas) Bala** against the **respondent / husband Sri Prokash Bala** u/s. 27 Special Marriage Act.

The case of the petitioner is that she got married with the respondent on 05.06.2012 according to Hindu rites and customs and their said marriage was registered on 03.02.2014 u/s. 16 of Special Marriage Act. After the solemnization of their marriage, parties started to live together as husband and wife. One male child namely Avigyan Bala was born out of their wedlock, who is presently in the custody of the Petitioner. Soon after the marriage, the respondent started to treat the petitioner with cruelty. It is alleged that he started to inflict physical and mental torture upon the petitioner on demand of dowry. He used to abuse the petitioner in filthy languages and also used to assault her physically. The torture upon her was increasing day by day and ultimately on 24.09.2021 the petitioner left her matrimonial house due to such torture. Thus according to the petitioner she was treated with cruelty by the respondent.

In spite of service of summons upon the respondent, he did not appear to contest the case and hence the suit was fixed for ex-parte hearing vide order no. 07 dtd. 22.08.2025.

The petitioner has deposed in this case as PW1. One marriage certificate has been marked as Exbt P-1 / PW1.

The PW1 ie the petitioner in her evidence has categorically mentioned that the respondent used to inflict physical and mental torture upon her in drunken condition and he used to abuse her in filthy languages and also used to assault her physically.

As this case was heard ex-parte, I have no other option but to believe the unchallenged testimony of the petitioner particularly when there is no cogent ground for disbelieving the same. Thus the unchallenged testimony of the petitioner shows that respondent used to abuse her in filthy languages and also used to assault her physically on demand of dowry. Abusing and assaulting his wife amounts to cruelty. Thus it can be said the petitioner was subjected to cruelty and in such circumstances, the petitioner is entitled to get the decree on the aforesaid ground.

Hence, it is

O R D E R E D

that the Matrimonial Suit No. **381 / 2024** is hereby decreed ex-parte without any cost. The marriage of the **petitioner / wife Smt. Ratna (Biswas) Bala** with the **respondent / husband Sri Prokash Bala** solemnized on on 05.06.2012 according to Hindu rites and customs and registered on 03.02.2014 is hereby dissolved with immediate effect.

D / C by me

Addl. Dist. Judge,
Bishnupur, Bankura .

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Bishnupur, Bankura