

Mat Suit no. 152 of 2025.
CNR No. WBCB-05-000-652-2025.

Anawara KhatunPetitioner/wife.
Vs.
Munna HabibRespondent/husband.

Present : Smt. Sharmistha Ghosh-I, (J.O. Code : WB00997)
Additional District Judge, Dinhata.

Order No. 08,
Dated : 02-05-2026.

Hazira is filed on behalf of the petitioner/wife.
Today is date fixed for ex-parte hearing.

The petitioner/wife is present with her Learned Advocate.

The petitioner files the application under section 25 of the Special Marriage Act, 1954 praying for annulment of marriage against her husband (herein after called as respondent) on the ground stated therein.

The petitioner's/wife's case in a nutshell is that the marriage between the parties was registered under Special Marriage Act, 1954 on 03-09-2023 before the Marriage Registrar. It is also the case of the petitioner/ wife that they had love affairs for which they registered their marriage. It is contended in the petition that after registration of marriage, the petitioner/wife asked the respondent/husband to take her to her matrimonial house to lead conjugal life but the respondent/husband consoled her to wait for a few days as he has no sufficient income. After about 3 months, she again requested the respondent/husband to start their conjugal life but he refused the same at once. The respondent/husband demanded Rs. 2,00,000/- and gold ornament from her parents but her poor parents could not meet the same for which the respondent/husband willfully neglecting to consummate their marriage. So, the marriage has not been consummated owing to willful refusal of the respondent/husband. Thus, the petitioner/wife prays for decree of nullity of marriage due to non-consummation of marriage. The respondent/husband intentionally avoiding her. Hence, the suit.

On receipt of notice the respondent/husband had entered appearance in this suit and prayed for time for filing written statement but subsequently he remained absent without any steps. Accordingly, the case is proceeded ex-parte against him.

In order to prover the case, the petitioner/wife herself examined as P.W-1 by filing her affidavit-in-chief and her mother is examined as P.W-2. Original copy of

her Marriage Registration Certificate is marked as exhibit-P-1. Now the record is taken up for passing ex-parte order.

On going through the testimony of P.W-1 it appears that her testimony is found corroborated with the version of her plaint and P.W-2 also corroborated her. I did not find anything to show that there is collusion in filing of this case. Hence, I find the petitioner is able to prove her case by adducing unchallenged evidence.

Court fee paid is correct.

Hence, it is,

ORDERED

that the instant Mat Suit No. 152 of 2025 be and the same is decreed ex-parte but without cost.

The marriage in between Anawara Khatun and Munna Habib registered on 03-09-2023, under the provision of Special Marriage Act is hereby annulled by decree of nullity u/s 25 of Special Marriage Act, 1954.

The Marriage Registration Certificate no. WB3290020102150 1202807-2023-115099, dated 03-09-2023 stands cancelled.

Let, a copy of this order be supplied to the petitioner free of cost at once.

Dictated & corrected by me,

**Sd/-
Additional District Judge,
Dinhata.**

**Sd/-
Additional District Judge,
Dinhata.**