

Mat Suit no. 160 of 2025.
CNR No. WBCB-05-000-671-2025.

Smt. Mamani BarmanPetitioner/wife.

Vs.

Sri Ashim BarmanRespondent/husband.

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

Order No. 06,

Dated : 15-05-2026.

Hazira is filed on behalf of the petitioner/wife.

Today is date fixed for filing show cause by the respondent/ husband.

The respondent/husband is found absent on repeated calls and no show cause has been filed on behalf of the respondent/husband. Hence the instant case be heard ex-parte.

The petitioner/wife is present along with her Ld. Advocate.

The petitioner/wife is examined as P.W-1 and her father is also examined as P.W-2.

Now the record is taken up for passing ex-parte order.

The petitioner files the application under section 13(1)(ia)(ib) of the Hindu Marriage Act, 1955 praying for divorce against her husband (herein after called as respondent) on the ground stated therein.

The petitioner's/wife's case in a nutshell is that she got married with the respondent/husband on 04-03-2021, at her parental house according to Hindu rites and customs. After marriage, she went to her matrimonial home and led marital life there. Out of their wedlock, they have no issue. It is the contention of the petitioner/wife that after marriage, she came to know that the respondent is physically ill and not able to consummate their marriage. The respondent is not able to perform sexual intercourse or he is impotent. The petitioner requested the respondent for his treatment but he refused to do so, even he used to abuse her with slang languages and also tortured her physically and mentally. She always tried her best to adjust the matter but failed. Lastly, on 25-11-2021 the petitioner left her matrimonial home and seeing no other alternative she took shelter at her parental house and since then she has been residing there. Many salishies were held to settle the disputes between the parties but all in vain. The respondent/husband

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neither paid any maintenance to her nor took any information of her. All her efforts to reconcile the matter fails and accordingly she has filed this suit praying for divorce.

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 prove the case, the petitioner/wife examined herself as P.W-1 by filing her affidavit-in-chief and also examined her father as P.W-2. Original Marriage Registration Certificate filed by the petitioner is marked as exhibit-1.

On going through the unchallenged testimony of P.W-1 it appears that her testimony is found corroborated with the version of her plaint. P.W-2 also supported the case of the petitioner/wife. 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 ex-parte.

C. F paid is sufficient.

Hence, it is

ORDERED

that the Mat Suit no. 160 of 2025 be and the same is hereby decreed ex-parte without any cost.

The marriage between Smt. Mamani Barman and Sri Ashim Barman solemnized on 04-03-2021, according to Hindu rites and customs is hereby stands dissolved by decree of divorce under Section 13(1)(ia)(ib) of the Hindu Marriage Act, 1955 from this day.

The Marriage Registration Certificate no. WB3290020202120 0602415-2022-41576, dated 13-03-2022 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.**