

**IN THE COURT OF THE ADDL. DISTRICT & SESSIONS JUDGE,
AMTA, HOWRAH.**

**Present: Mr. M. Mallick
Addl. District & Sessions Judge,
Amta, Howrah
(J.O. Code : WB00694)**

**Matrimonial Suit No. 140 of 2025
[CNR No. WBHW06-000219-2025]**

[Under Section 28 of the Special Marriage Act, 1954.]

Smt. Arpita Guchait Patra, Wife of Sri Kaushik Patra, Daughter of Anup Guchait, presently residing at Village – Chaksalika, P.O. Kankrol, Police Station :- Joypur District :- Howrah.

.....Petitioner No.1/Wife.

-AND-

Sri Kaushik Patra, Son of Gorachand Patra, residing at Village – Joypur Paschimpara, P.O. Joypur, Police Station :- Joypur District :- Howrah

.....Petitioner No.2/Husband .

J U D G E M E N T

Delivered this 4th day of June, 2026.

1. In the backdrop of submission of both the petitioners that there is no chance of re-union and to stay together as husband and wife, the instant application under Section 28 of the Special Marriage Act, 1954, is taken up for hearing.
2. The petitioner No.1 Smt. Arpita Guchait Patra is examined and his affidavit in chief is brought on record as the evidence of PW-1 and the petitioner No. 2 Sri Kaushik Patra is examined and her affidavit in chief is brought on record as the evidence of PW-2.
3. It appears from the materials on record that the marriage in between the parties to this Suit, was solemnized and registered on 18th day of April, 2021 according to Special Marriage Act, 1954.
4. After their marriage they lived together as husband and wife at the house of the Petitioner No. 2 at Village – Joypur Paschimpara, P.O. Joypur, Police Station :- Joypur District :- Howrah
5. Petitioner No. 1 produced the original Certificate of their marriage which is marked as Exbt. P-1.
6. Their marriage was duly consummated and no child was born from their wedlock.

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7. That, owing to the differences as to their attitude along with other aspects of life, resulting mal-adjustment, it has practically been impossible for them to stay together as husband and wife, as such, since 1st May, 2023, they have been living separately, at their respective parental house.

8. It is also evident from the record that several attempts and measures were taken for reconciliation, by friends, relatives and well wishers of both the parties but in vain.

9. Now while appreciating the materials on record, in the light of testimonies of the parties, coupled with the submissions of the Learned Advocates and the petitioners themselves, this court is of the view that the marriage in between the parties herein, has irretrievably been broken down and there is no chance for the parties herein, to live together as husband and wife in near future, in other words this court does not find any reason to not to allow the instant application of the petitioners.

10. The instant application Section 28 of the Special Marriage Act, 1954 seems to be bonafide and made voluntarily.

11. Court fee paid is correct.

Accordingly, it is

ORDERED

The marriage in between the parties herein, solemnized and registered on the 18th day of October, 2021, according to Special Marriage Act, 1954, is hereby dissolved by a decree of divorce on mutual consent. The Certificate of marriage bearing Certificate No. WB3410020902030010243-2021-52561 Dated 18.04.2021, Notice Sl. No. 2021-52561 Dated 13.03.2021 issued by one Surya Dev Chel, Marriage Officer at Vill. Chaksalika, Amta-II, P.S Joypur, P.O Kankrol, Howrah, PIN - 711401, is no more binding upon the parties.

No order as to cost.

Let a copy of this Order be supplied to the parties free of cost.

Let a decree be drawn up and Notified as per rule.

Note in the Register.

Dictated & Corrected by me

Additional District Judge
Amta, Howrah

Additional District Judge
Amta, Howrah