

Mat Suit : 623/2025

(CIS Reg. Mat Suit-623/25)
(CNR : WBEM09001308-2025)

Smt. Mamata Dey.....Petitioner.
Vs.
Shri Asit Dey.....Respondent.

Order No. 09 dt. 07.04.2026

Today is fixed for ex-parte argument.

Petitioner is present by filing hazira through Ld. Advocate.

Argument is heard in full.

The record is taken up for passing ex-parte order.

The fact of the case, in a nutshell, is that the petitioner got married with the respondent on 14/03/2021 as per Hindu rites and customs. After marriage, the petitioner went to the house of the respondent and started her conjugal life with the respondent as husband and wife. Due to consummation of marriage the petitioner gave birth to a male child, namely, Ayush Dey who had been residing alongwith her mother i.e the petitioner. At the time of the said marriage different gifts like gold ornaments, furnitures, utensils, bedding and clothes etc. were given to the respondent but the family members of the respondent were dissatisfied with the said dowry. So, they created pressure upon the petitioner to provide additional dowry of Rs. 50,000/-. Due to failure to pay the additional dowry of Rs. 50,000/- the respondent and his family members started to torture the petitioner both physically and mentally. Thereafter, the respondent again demanded the said sum of Rs. 50,000/- and he asked the petitioner to leave his house in default. The father of the petitioner held different 'salish' but did not succeed to effect a compromise. The respondent used to keep the petitioner in starvation and refused to share the bed with her. The respondent also took the plea of non-satisfaction of his claim of additional dowry. Then the respondent drove the petitioner out from her matrimonial house. The matter of dispute was tried to be settled amicably several times but no fruitful result had occurred. Accordingly, the relationship between the petitioner and the respondent had deteriorated to such an extent that it became impossible for the petitioner to live together with the respondent under the same roof.

The cause of action of this suit arose on 10/04/2024 when the petitioner was forcibly driven away from her matrimonial house after being assaulted therein.

The petitioner by filing this suit, has prayed for a decree of divorce after dissolution of marriage under section 13(1)(ia) & (ib) of the Hindu Marriage Act, 1955.

The respondent had appeared before the court, but he did not contest the suit. Accordingly, the case is being heard ex parte against the respondent.

The petitioner in order to substantiate the facts and allegation made out in the plaint adduced oral evidence. The petitioner, Smt. Mamata Dey was examined as PW-1. P.W.-1 deposed by filing affidavit-in-chief in corroboration to the facts and pleading mentioned in the plaint. P.W.-2, Anjali Mandal deposed by filing affidavit-in-chief and had corroborated P.W.-1.

The entire oral evidence of the petitioner stands unchallenged and is not discarded as the respondent has not cross-examined the witnesses adduced on behalf of the petitioner and the respondent did not adduce any evidence on his behalf.

After perusing the entire unchallenged oral evidence of the petitioner, this Court is of the considered view that the petitioner has successfully proved the ground for divorce as stated in the petition. As a result, the case of the petitioner succeeds ex-parte.

Hence, it is,

Ordered

that the Mat Suit No. 623/2025 be and the same is allowed and decreed ex-parte against the respondent without cost. The marriage solemnized on 14/03/2021 between the petitioner, Smt. Mamata Dey and respondent, Shri Asit Dey stands dissolved by a decree of divorce on and from the date of passing this order as per the provision of section 13(1)(ia)&(ib) of the Hindu Marriage Act, 1955.

Note in the trial Register, update the C.I.S. and upload the order.

Dictated & corrected by me.

Additional District Judge,
Fast Track 2nd Court,Contai.

Additional District Judge,
Fast Track 2nd Court,Contai.
J.O. Code No. WB00989