

In the Court of the Additional District Judge, 1st Court at Contai, Purba Medinipur

Present: *Shri. Ajayendra Nath Bhattacharya*
Additional District Judge,
1st Court, Contai,
Purba Midnapore
JO Code: WB00819

Matrimonial Suit No. 961 of 2025.
CNR No: WBEM09-002089-2025

Smt. Kakali Das

..... Petitioner No.01.

Vs

Shri Dipak Das

..... Petitioner No.02.

For the petitioner No.1: **Shri. Anirban Chakroborty**, Ld. Advocate.
For the petitioner No.2: **Shri. Suman Kumar Das**, Ld. Advocate.

Order No: 03.
17-04-2026.

Both the petitioners are present by filing their respective attendance.

Both the petitioners filed their respective show causes supported by affidavit. The ground shown in the said show causes are found to be sufficient and justified. The show causes are accepted.

Talked with both the parties – both separately and jointly, with a view to make an amicable settlement of their disputes. But it is found that the parties are not willing to resume their conjugal life and are bent upon to draw an end to their matrimonial life. It appears that the mental set up of both the sides to this suit is not compatible to each other with no emotional attachment and bonding found between them and compelling them to continue with their conjugal life will be asking them to carry a burden of a dead relationship and prolong the agony of the parties.

The petitioner no. 01 and the petitioner no. 02 are examined as PW-01 and PW-02 respectively. One Shri. Uttam Kumar Das, the father of the petitioner no. 1 and one Smt. Bhatati Das, the mother of petitioner no. 2 were also examined as PW-03 and PW-04 respectively. The photo copies of the Aadhaar cards of PW-01, PW-02, PW-03 and PW-04 have been marked as Exhibit 01 - 04 respectively.

Heard the submissions made on behalf of both the sides.

The record is now taken up for passing order.

Contd...17.04.2026

This is an application u/S. 13B of the Hindu Marriage Act, 1955, preferred jointly by both the sides praying for dissolution of their marriage by a decree of divorce on mutual consent.

This Court has considered the submissions of both the sides in the light of the materials on record.

On perusal of the case record it appears that the marriage between the parties to this suit was solemnized on 12-11-2011 in accordance to the Hindu rites and customs at the parental house of the petitioner no.1 at Alangiri, PS Egra, District Purba Medinipur. Thereafter the parties led their conjugal life at the house of the petitioner no.2 at Bartana PS Egra, District Purba Medinipur. Subsequently, disputes and differences started to crop up between the parties on account of differences in temperament, thoughts, habits and culture and ultimately on account of increasing incompatibility it became impossible for them to live together and accordingly they started to live separately from each other on and from 01-04-2024. Several attempts were made to reconcile the disputes between the parties but in vain. It is the submission of the parties that the marriage between the parties has broken down irrevocably and there is no chance of any reconciliation between them. As such the parties have preferred the instant application

On perusal of the evidence on record along with the exhibited documents, it is found that the marriage between the parties to the suit was solemnized and they have also lastly resided together within the jurisdiction of this Court and accordingly this Court has the jurisdiction to entertain the present suit. It is also found from the evidence on record, that the marriage between the parties to this suit was solemnized on 12-11-2011 and they are living separately from each other since 01-04-2024. The instant suit has been filed on 09-09-2025. So the suit has been filed after a period of more than one year from the date of marriage and separation as well. The motion is being made after a period of six months from the date of presentation of the instant application and before the period of eighteen months from the said date. It is also found from the evidence on record that the parties could not lead their conjugal life together with each other due to dispute and differences between them and it had become impossible for them to lead their conjugal life together. The evidence on record further reveals that there is no collusion between the parties in preferring this application and they have voluntarily agreed to dissolve their marriage by a decree of divorce by mutual consent.

Having regard to the facts and circumstances of the present suit and the evidence on record, it appears to this Court that there is an irrevocable breakdown of the marital relationship between the parties to this suit and there is no possibility of further resumption of the marital tie due to difference between their state of mind and outlook towards life. There is no emotional attachment or bonding left between the parties to this suit and their relationship has turned dead and remains only on papers. It is also found that compelling the parties to further drag this marital relationship will only result in prolonging their mental agony. As such, for the ends of justice it would be fit and proper to dissolve the marriage between the parties to this suit.

C.F. paid is correct.

Hence, it is

ORDERED

that the instant suit being Matrimonial. Suit No. 961 of 2025 is hereby decreed on mutual consent but without any order as to costs. The parties do get a decree of divorce on mutual consent whereby the marriage between the parties to this suit which was solemnized on 12-11-2011 in accordance to the Hindu rites and customs stands dissolved.

DA to draw up the decree in terms of the above order in accordance to the relevant rules and regulations

Let a copy of this order be supplied to each of the parties at free of costs in accordance to law.

Dic. & Corr. by me.
Sd/-
Additional District Judge,
1st Court, Contai.

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Additional District Judge,
1st Court, Contai.
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