

Mat Suit No. 617 of 2024

Order No. 10 dated 06.06.2026

Today is fixed for exparte hearing.

The petitioner is present by filing hazira.

Petitioner Rakhi Das (Roy) has filed her examination-in-chief on affidavit and she is examined as P.W.1 and discharged.

Heard the Ld. Advocate for the petitioner. Perused the materials on record.

On perusal of the record it appears that the petitioner has filed the present suit against her husband u/s 13 of Hindu Marriage Act for dissolution of their marriage. In spite of service of summons, the respondent has not appeared in this case and the suit is proceeded with an exparte against him.

It is the contention of the petitioner that the marriage between the parties was solemnized on 07.05.2017 as per Hindu Rites and Customs and after marriage the petitioner went to her matrimonial home and started to reside with the respondent as husband and wife. It is the allegation of the petitioner that after few months of marriage the respondent started mental torture upon the petitioner on provocation of his parents and out of their wedlock a male child was born. It is the allegation of the petitioner that in her matrimonial home she along with her minor son were subjected to torture both physically and mentally and they were not provided with proper food and medical assistance and ultimately on 28.04.2022 the petitioner was compelled to leave her matrimonial home after being tortured mercilessly.

In support of the contention of the petitioner, the petitioner has adduced evidence as P.W.1.

Considering the facts and circumstances of the case and on perusal of the record, it appears to me that the testimony of the petitioner regarding her contention remains unchallenged and there is nothing on record to contradict her contention.

Considering the above, it appears to me that the petitioner is able to prove her case and is entitled to get the relief as prayed for.

Hence, it is,

ORDERED

that the marriage took place in between the petitioner and the respondent on 07.05.2017 as per Hindu Rites and Customs is hereby dissolved by way of decree of divorce u/s 13(1)(ia) of Hindu Marriage Act.

Dictated and Corrected by me

Additional District Judge
Fast Track Court, Serampore

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