

Mat Suit No. 1226 of 2025  
CNR No. WBHW01 004934 2025  
Present: Dr. Debasree Lahiri  
District Judge In Ch., Howrah.  
J.O. Code - WB00952.

Order No. 02 dated 18.03.2026.

The instant matrimonial suit under Section 28 of the Special Marriage Act is taken up for hearing.

The suit was filed on 19.09.2025.

Both parties are present in order to move the second motion after the mandatory cooling off period of six months. They have filed affidavit in chief.

At the beginning of the hearing, this Court tried to convince the parties to reconcile their dispute but the attempt on the part of this Court failed.

On enquiry, it is found that the marriage between the parties took place on 28.09.2003 as per Special Marriage Act. The couple resided together as husband and wife. However, they started living separately since 01.04.2018. Subsequently they have decided to resolve their marriage on mutual consent. Hence, the application under Section 28 of the Special Marriage Act is filed. It is also found that attempts were made by their common friends and relatives so that they may resume their conjugal life once again but all such attempts yielded no result. It appears that they filed the application praying for decree of divorce with their free will and consent. During second motion it is found that they have consent for dissolution of their marriage tie.

The notarized marriage registration certificate as filed by the parties is marked as Ext. 1.

It is observed that the couple have been living separately for a period of more than one year before filing of the petition. The second motion of the parties is made after six months from the date of presentation of the petition.

After hearing the parties and making necessary enquiry, this Court is satisfied to grant the relief as prayed.

Hence, it is

**O r d e r e d**

that the marriage between the parties namely, Susmita Dhara (Dutta) and Santanu Dutta solemnised on 28.09.2003 as per Special Marriage Act is hereby dissolved by a decree of divorce on mutual consent.

Dictated & corrected by me.

D. J. In Ch.

District Judge In Ch., Howrah.