

Mat Suit No. 1491 of 2025
CNR No. WBHW01 006316 2025
Present: Subhash Kumar Kar,
District Judge, Howrah.
J.O. Code – WB00592

Order No. 04 dated 28.07.2026.

Today is fixed for appearance and hearing.

Parties have taken the respective steps.

On the prayer of learned Advocates appearing for the parties, the application under Order 6 Rule 17 read with Section 151 of the C.P.C. filed on 09.06.2026 is taken up for hearing.

Heard the learned Advocates appearing for the petitioners on the petition.

Perused the application and other materials on record.

In considered view of this Court, the amendment as sought for is formal in nature and accordingly, the same is allowed.

D.A. to note accordingly.

Amended copy of the plaint is filed. Let the same be kept with the record.

The instant suit is now taken up for hearing.

At the instance of both the petitioners several attempts were taken to reconcile but all the efforts were in vain. So the record is taken up for passing order.

This is an application U/s. 28 of the Special Marriage Act jointly filed by Smt. Ria Golui nee Dutta and Sri Rahul Golui admitting that they were married on 23.07.2013 according to Special Marriage Act before the Marriage Registrar and thereafter they started living at the house of petitioner no. 2 at Bantra, Dist. Howrah and one child was born from the said wedlock and in course of their matrimonial living some disputes and differences have cropped up that ultimately led to filing of this application under Section 28 of the Special Marriage Act praying for a decree for dissolution of marriage by mutual consent in terms of the condition mentioned in the petition itself.

The petitioners have adduced their evidence by submitting their examination in-chief on affidavit. Both the petitioner Nos. 1 and 2 have filed photocopy of their respective Aadhaar Cards which are marked as Exts.1 & 3 respectively. The Marriage Registration Certificate is marked as Ext. 2.

It appears from the evidence that the petitioner no. 1 has received the custody of the female child and it is admitted by them as it appears from the application that they have filed this matrimonial suit voluntarily on their own accord and without being influenced by any other person.

I have made an attempt to reconcile the dispute and had an interaction with the parties for reconciliation but in vain. Six months have already been elapsed since the date of filing of the instant application.

It appears that there is no collusion, coercion and undue influence in filing this application and both parties have filed the application voluntarily and I do not find any impediment in allowing this petition and hence, it is,

ORDERED

that the application U/s 28 of the Special Marriage Act filed by the parties is hereby allowed on mutual consent. The marriage registered on 23.07.2013 according to Special Marriage Act between the parties viz. Smt. Ria Golui nee Dutta and Sri Rahul Golui is hereby dissolved by a decree of divorce by mutual consent from the date of this order. The parties will bear their respective costs.

The joint petition filed by the petitioners be made part of the decree.
Dictated & corrected by me.

D. J.

District Judge, Howrah.

Later / dated 28.07.2026.

On prayer by a separate verified petition, original documents be returned to the parties.

Dictated & corrected by me.

D. J.

District Judge, Howrah.