

In the Court of Additional District Judge, 1st Court, Uluberia, Howrah.

Present: Smt. Atrayee Manna Chowdhury
(JO Code : WB 00848)
Mat. Suit No. 295 of 2025
(CNR NO: WBHW09-000842-2025)

SMT. PIYALI MANNA (SAMANTA)Petitioner no.1.

SRI UTPAL SAMANTAPetitioner no.2.

Order No. 03 Dated 18.03.2026.

Today is fixed for passing order.

Both parties are present with their respective Ld. Advocates, filing hazira.

In compliance of the directions contained in the Order dated 20.02.2026 passed by the Hon'ble Supreme Court of India in Writ Petition(s) (Civil) No(s). 1089/2025 with W.P.(C) No. 126/2026, W.P.(C) No. 129/2026 (PIL-W), W.P.(C) No. 737/2025 (PIL-W), W.P.(C) No.1074/2025 (PIL-W), W.P.(C) 1088/2025 (PIL-W), W.P.(C) No.1216/2025 (PIL-W), W.P.C(C) No. 159/2026 (PIL-W), W.P.(C) no. 119/2026 (PIL-W) and IAs connected therewith, the PO is busy with SIR work.

ADJ-2, Uluberia is in-charge.

Record is now taken up for passing order.

The instant application is filed U/s. 28 of the Special Marriage Act. 1954, praying for dissolution of marriage by decree of divorce on mutual consent.

It is averred in the petition that marriage between the parties was registered on 28.10.2021 as per Special Marriage Act. Thereafter their social marriage was held on 20.02.2022. Thereafter they led their conjugal life at Village – Paramanandachak, P.O. – Santoshpur, P.S - Bauria, District – Howrah. Owing to differences in between parties and increasing incompatibility, they subsequently began to live separately from 14.04.2024. All attempts and efforts made to effect a reconciliation and resumption of marital relationship failed. It is further averred that the parties on their own accord and free will voluntarily gave their consent for dissolution of marriage on mutual consent and that the consent was not obtained by force, fraud or undue influence upon either of the parties.

Both the parties filed affidavit-in-chief along with documents namely photocopy of Aadhaar Card of PW – 1, Marriage Certificate, and photocopy of Aadhaar Card of PW-2 which were marked as **Exhibit – 1**, **Exhibit – 2** and **Exhibit-3** respectively.

Both the parties examined themselves on oath and averred the statements made in the petitions.

On perusal of the record it appears that marriage between the parties was registered on 28.10.2021 and that the parties have been living separately since 14.04.2024. This petition was filed on 02.07.2025. Parties reside and marriage was solemnized at an address within the jurisdiction of this court.

Evidence of the parties establish, therefore, that the parties have been living separately for a period of more than one year. They have not been able to live together and they have mutually agreed that the marriage has been dissolved. Both the parties stated in evidence that the instant application is neither collusive nor the consents of the parties were obtained by exercising any coercion, fraud, undue influence or otherwise and they signify their consent voluntarily and under free will.

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Under the circumstances, I am satisfied that the parties are able to make out the case for dissolution of marriage by decree of divorce on mutual consent.

Hence, it is,

ORDERED

that the marriage registered between the petitioner no. 1 viz. **Smt. Piyali Manna (Samanta)** and Petitioner No. 2 viz. **Sri Utpal Samanta** on 28.10.2021 according to Special Marriage Act stands dissolved with effect from this date.

Let a decree be drawn up.

Copy of the order be supplied to the petitioners free of cost.

Dictated & corrected by me,

Sd/-

Addl. District Judge,
1st Court, Uluberia
In-Charge

Sd/-

Addl. District Judge,
1st Court, Uluberia
In-Charge