

IN THE COURT OF THE ADDITIONAL DISTRICT & SESSIONS JUDGE,
FAST TRACK COURT, RANAGHAT, NADIA

Mat Suit No 784 of 2024
CIS No-755 of 2024
CNR WBND-120021932022

Present:- Monodeep Dasgupta
Addl. Dist. & Sessions Judge,
FTC, Ranaghat, Nadia
(J.O. CODE WB00967)

Astom Ghosh Petitioner

-Vs-

Supriya Ghosh Respondent.

Order No. 07 dated 06.04.2024:

Today is fixed for passing ex parte order.

Petitioner **Astom Ghosh** is present filing by attendance through his Ld. Counsel.

Heard the Ld. Counsel for petitioner.

Considered the submissions and perused the record.

The case record is taken up for the above purpose.

This is an application filed by the petitioner u/s 13 of Hindu Marriage Act 1955 for dissolution of his marriage with the respondent, by a decree of divorce on the ground of desertion and cruelty.

The marriage between the petitioner and respondent was solemnized on **12.07.2016** according to Hindu rites and customs from the paternal house of the respondent that situates at Pakurgachhi, PS Bhimpur, Dist, Nadia. After the said marriage, the petitioner and respondent started residing together as spouses at the house of the petitioner that situates at Chhutipur, PS Hanskhali, Dist. Nadia. It is further stated by the petitioner that in the said wedlock, their son Ishan Ghosh was born. It is the further case of the petitioner, that during her stay at her matrimonial house, the respondent was found to be very reluctant to do the household work and always showed utter disrespect to him. The petitioner stated that the respondent used to demand luxurious goods from him beyond his capacity and on the event of his failure to meet up such demand, the respondent subjected him to mental torture and abused him with filthy languages for which he started suffering from mental pain and agony. The petitioner has further stated that the respondent used to frequently go away to her paternal house without any prior information and further added that she entered into an extra marital relationship with one Ajoy Sarkar. The petitioner has further stated that when he refused to transfer a property in the name of the respondent by way of gift, she left her matrimonial house voluntarily along with her minor child on 20.09.2020. The petitioner further contended that on 25.08.2021, the respondent came to her matrimonial house, and after taking all her stridhan articles, and

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went away to her paternal house at her own will and volition The petitioner stated that after few days it came within his cognition that the respondent is residing together with the said Ajoy Sarkar as spouses.

The petitioner has further stated that since **20.09.2020** he is residing separately from the respondent and he is under the apprehension that the matrimonial relation between him and the respondent shall never revive in the shape of normal conjugal relationship, and as such he has filed the instant case for dissolution of his marriage with the respondent by a decree of divorce on the ground of cruelty and desertion.

The Respondent **Supriya Ghosh**, after receipt of notice of this instant suit, appeared to contest the claim of the petitioner. But no separate written statement was filed by her within the stipulated period to challenge, rebut, and to contradict the version of the petitioner. The respondent also did not appear further before this Court, for which the instant suit was slated for exparte hearing.

The petitioner, **Astom Ghosh** examined himself as P.W.-1. He submitted his examination in chief on affidavit, and by tendering the same on the dock conveyed and corroborated his case, as made out in the plaint and the factum of cruelty and desertion by the respondent **Supriya Ghosh**. The oral testimony of the petitioner as P.W.-1 remains unchallenged and uncontroverted from any quarter.

In absence of any contrary and controverting evidence on record and as the evidence of the petitioner as PW1 remains unchallenged and un-controverted, this Court finds its apt to allow the prayer of the petitioner, filed u/s 13 of the Hindu Marriage Act, for divorce on the ground of cruelty and desertion.

C.F paid is correct.

Hence it is

ORDERED

That the application u/s.13 of Hindu Marriage Act filed on 30.09.2022 being MAT Suit no. 784/2022(CIS 755 /2022) is allowed exparte against the respondent **Supriya Ghosh**, but without any order as to costs.

The marriage solemnized between the parties namely **Astom Ghosh and Supriya Ghosh** on 12.07.2016 according to Hindu rites and customs, is hereby dissolved by decree of divorce with effect from this day.

Let a copy of this order be given free of cost to the petitioner **Astom Ghosh** .

Decree be drawn up accordingly.

D/C by me

Additional District Judge
FTC, Ranaghat, Nadia

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