

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

Mat Suit No 781 of 2022
CIS No-751 of 2022
CNR WBND-120021792022

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

Mita Chakraborty Petitioner

-Vs-

Subrata Chakraborty Respondent.

Order No. 07 dated 02.04.2024:

Today is fixed for passing ex parte order.

Petitioner **Mita Chakraborty** is present filing by attendance through her 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 her 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 **25.11.2016** according to Hindu rites and customs from the paternal house of the petitioner that situates at Sarat Roy Lane, PS Santipur, Dist, Nadia After the marriage, the petitioner and respondent started residing together as spouses at the house of the respondent that situates at Fulia Colony, PS Santipur, Dist. Nadia. It is further stated by the petitioner that in the said wedlock, no child was born. It is the further case of the petitioner, that during her stay at her matrimonial house, the respondent subjected her to sporadic physical and mental persecution over family affairs and kept her deprived from the bare necessities of survival. The petitioner stated that she was persistently assaulted by the respondent after he used to return home in a drunken state and finally on **09.09.2021**, she was driven out from her matrimonial house by the respondent thereafter which she was compelled to take shelter at her father's house. The petitioner has further stated that since **09.09.2021** she is residing separately from the respondent and she is under the apprehension that the matrimonial relation between her and the respondent shall never revive in the shape of normal conjugal relationship, and as such she has filed the instant case for dissolution of her marriage with the respondent by decree of divorce on the ground of cruelty and desertion.

Cont...

The Respondent **Subrata Chakraborty**, after receipt of notice of this instant suit, appeared to contest the claim of the petitioner. But no separate written statement was filed by him within the stipulated period to challenge, rebut, and to contradict the version of the petitioner and neither he appeared further before this Court, for which the instant suit was slated for *exparte* hearing.

The petitioner, **Mita Chakraborty** examined herself as P.W.-1. She submitted her examination in chief on affidavit, and by tendering the same on the dock conveyed and corroborated her case, as made out in the plaint and the factum of cruelty and desertion by the respondent **Subrata Chakraborty**, over family affairs. 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 29.09.2022 being MAT Suit no. 781/2022(*CIS 751/2022*) is allowed on consent, but without any order as to costs.

The marriage solemnized between the parties namely **Mita Chakraborty and Subrata Chakraborty** on **25.11.2016** 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 **Mita Chakraborty**.

Decree be drawn up accordingly.

D/C by me

Additional District Judge
FTC, Ranaghat, Nadia

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FTC, Ranaghat, Nadia