

Present :-Leena Golder, ADJ,Basirhat (In-charge)

J.O CODE NO. WB00894

CNR No. 1000 1978 2022

Mat-559/22

(Registration number)

Mat-141/22

Order No. 10 dated 22.02.24

Today is fixed for argument.

Heard argument.

The case record is taken up for passing order.

Both the petitioner no.1 Madhumita Adhikary Chakraborty and petitioner no.2 Rajkumar Chakraborty file hazira and their engaged lawyers are also present.

Both the petitioners have filed their respective examination-in-chief on affidavit and they have also examined as P.W.-1 and P.W.-2 respectively. Through P.W.-1 their marriage certificate is admitted into evidence and is marked as Exbit.-1.

Petitioner no. 1 and petitioner no. 2 are the wife and husband by relation, whose marriage was solemnized on 07.12.2020 according to Hindu Rites and Customs and said marriage registered on 12.01.2021. After marriage the parties started leading happy conjugal life and out of their wedlock two children were born. Thereafter the dispute arose between them because of difference of taste, culture and habit it was increased day by day. The said dispute could not be reconciled by their relatives and well wishers. Hence, the instant suit u/s. 13B of Hindu Marriage Act is filed with a prayer for granting divorce on mutual consent.

This case was filed on 31.10.22 and now comes up for hearing on 22.02.24. Considering the facts and circumstances of this case, the petition for divorce and the evidence adduced by the parties it appears that due to their dispute arose between them because of difference of taste, culture and habit it was increased day by day parties are unable to live together and they are residing separately on and from 13.10.21. In view of the deteriorating conjugal relation, they ultimately decided to terminate such relationship by praying for mutual divorce and accordingly filed this application u/s- 13B of Hindu Marriage Act by their respective Lawyers.

It is established through their respective unchallenged testimony on oath that their consent is free, voluntary and not obtained by exercising undue influence, fraud and coercion. As such the prayer of the petitioners should be allowed.

C.F paid is correct.

Hence , it is

ORDERED

that the application U/S. 13B of Hindu Marriage Act is hereby allowed.

The petitioners do get the decree of divorce on mutual consent.

The marriage tie between petitioner no.1 Madhumita Adhikary Chakraborty and petitioner no.2 Rajkumar Chakraborty which was solemnized on on 07.12.2020 according to Hindu Rites and Customs and said marriage registered on 12.01.2021 is hereby dissolved from the date of this order.

Dictated & corrected
by me

Addl. District Judge
FTC-I, Basirhat
(In-charge)

ADJ,FTC-I.