

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

Mat Suit No 796 of 2022
CIS No-767 of 2022
CNR WBND-12002224

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

Sathi Brahma Bepari Petitioner

-Vs-

Debajyoti Bepari Respondent.

Order No. 08 dated 08.07.2024:

Today is fixed for passing order.

Petitioner **Sathi Brahma Bepari** 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 **11.02.2008** according to Hindu rites and customs from her paternal house of the petitioner situated at Duttafulia P.S. Dhantala Dist. Nadia. The marriage was also registered under the Hindu Marriage Act on 19.03.2021 before the Marriage Officer Kripesh Ch. Barman. After the marriage, the petitioner and respondent started residing together as spouses at the house of the respondent that situates at Duttafulia, P.S Dhantala 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 and his family members subjected her to physical and mental persecution for demand of a further hefty sum of Rs. 50,000/- from her paternal house and kept her deprived from the bare necessities of survival. The petitioner has further contented that as her father failed to meet up the entire hefty demand of the respondent and his family members, for such reason the baleful attitude upon her aggrandized with due passage of time, but she continued to reside at her matrimonial house. The petitioner has further stated that the respondent was addicted to drinking and she was subjected to tremendous physical and mental torture every night by him. The petitioner has further contended that finally on 24.06.2021, she was driven out from her matrimonial house by the respondent and his

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family members for non fulfillment of their demand for a further hefty sum of Rs. 50,000/- from her paternal house. Finding no other alternative, the petitioner took shelter at her paternal house.

The petitioner has further stated that since **24.06.2021**, 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 his marriage with the respondent by a decree of divorce on the ground of cruelty and desertion.

The Respondent **Debajyoti Bepari** , after receipt of notice of this instant suit, appeared to contest the claim of the petitioner. A separate written statement was filed by him within the stipulated period, raising no objection if a decree of divorce is passed in favour of the petitioner in terms of her prayer.

The petitioner, **Sathi Brahma Bepari** 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 his case, as made out in the plaint and the factum of desertion and cruelty by the respondent **Debajyoti Bepari** , and his family members for demand of a further hefty sum of Rs. 50,000/- from her paternal house. 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 desertion and cruelty.

C.F paid is correct.

Hence it is

ORDERED

That the application u/s.13 of Hindu Marriage Act filed on 28.10.2022 being MAT Suit no. 796/2022 (CIS 767/2022) is allowed on consent against the respondent **Debajyoti Bepari**, but without any order as to costs.

The marriage solemnized between the parties namely **Sathi Brahma Bepari and Debajyoti Bepari** on **04.02.2021** according to Hindu rites and customs, is hereby dissolved by decree of divorce with effect from this day.

The marriage registration certificate being no. 51592 dated 19.03.2021 issued by the Marriage Officer Kripesh Ch. Barman stands canceled with immediate effect.

Let a copy of this order be given free of cost to the petitioner **Sathi Brahma Bepari**.

Decree be drawn up accordingly.

D/C by me

Additional District Judge
FTC, Ranaghat, Nadia

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