

Mat Suit No. 257/22

R-259/22

Present : Sri Madan Mohan Mishra

JO no. WB00727

Order No 02 dated 02.06.23

Both the petitioners are present along with their appointed learned advocates on this day fixed for hearing of the application u/s 28 of Special Marriage Act filed by them on 22.08.22.

Petitioners have filed certain documents by way of firstly.

The endeavor made by this court for reconciliation between the parties failed.

The two affidavits pretending to be examination-in-chief of the petitioner No. 1/ husband Sri Suresh Samanta and petitioner No. 2/wife Smt Sonamoni Samanta have been submitted this day. Same are tendered in evidence and the witnesses are further examined on dock as PW-1 & PW-2 and discharged.

The document is marked Exbt-1.

Now, the case record is taken up for passing order.

This is an application u/s 28 of Special Marriage Act filed by petitioners praying for passing decree of divorce on mutual consent. The case of petitioners is that marriage in between them have been solemnised on 08.02.21 under Special Marriage Act. After the marriage they lived together at the house of husband at village Dihibaliharpur, PO & PS-Daspur, Dist-Paschim Medinipur as husband and wife till 26.06.21 within jurisdiction of this court. Out of wed lock one male child Arnav Samanta was born. On 26.06.21 petitioner No. 2/wife left her matrimonial house and since then has been living separately at village Chowli, PO & PS-Ghatal, Dist.- Paschim Medinipur. In spite of all efforts they failed to reconcile their relation.

From the averments made in the application, the testimony of petitioners on dock and the documents submitted by them it is found that marriage in between them have been solemnised on 08.02.21 under Special Marriage Act. After the marriage they lived together at the house of husband at village Dihibaliharpur, PO & PS-Daspur, Dist-

Paschim Medinipur as husband and wife till 26.06.21 within jurisdiction of this court. Out of wed lock one male child Arnav Samanta was born. On 26.06.21 petitioner No. 2/wife left her matrimonial house and since then has been living separately at village Chowli, PO & PS-Ghatal, Dist.- Paschim Medinipur along with her son. In spite of all efforts they failed to reconcile their relation. The application u/s 28 of Special Marriage Act has been filed on 22.08.22.

Upon consideration I find no impediment in allowing the petition.

Hence, it is ordered

That the application u/s 28 of Special Marriage Act be and the same is allowed.

The marriage solemnized in between the parties on 08.02.21 under Special Marriage Act is hereby dissolved by a decree of divorce with immediate effect.

Dictated and Corrected by me

Additional District Judge
Ghatal, Paschim Medinipur

Additional District Judge
Ghatal, Paschim Medinipur