

Order dt. 03.11.2016

Today is fixed for passing ex parte order of the suit being filed u/s 13(i)(ia) of the Hindu Marriage Act, 1955. The petitioner is present along with his Ld. Advocate. The petitioner on earlier occasion had filed the verified examination-in-chief and was also examined on dock ex parte. The case record is hereby taken up for passing necessary order towards the ex parte disposal of the case.

Be it mentioned here that the OP / Respondent appeared on receipt of notice from the court, filed wakalatnama and thereafter altogether disappeared from the scenario by remaining absent without steps on repeated dates and for that this court had to take up the instant case for ex parte disposal.

From the plaint, and the written and oral evidence of the petitioner this much may be safely presumed to be not untrue that the the respondent is his legally married wife since last more than 6 years. That since after the marriage the respondent wife subjected him to cruelty along with his parents and often abused them with filthy languages and also compelled the petitioner to stay separately in the house of the respondent as 'ghar jamai' leaving his parents and thereafter returned back to the house of petitioner and started cruelty upon him and his parents and thereafter the respondent grew intimacy with the cousin brother of the petitioner, namely, Nirmal Sutradhar and stayed as husband and wife with him after eloping him and on 15.12.14 the respondent disclosed that she will live with said Nirmal Sutradhar as his wife. Several attempts of reconciliation of this matrimonial dispute went futile and all these circumstantially compelled the petitioner to come up with the present suit.

A meticulous scanning of the materials in hand this much reveal that there is hardly any chance of further cohabitation of these spouses and that the respondent / wife was found willfully reluctant to contest the petitioner's claim. From such conduct of the respondent above presumption gets further fortified. In the circumstances I find nothing bad in law and facts to pass a decree of divorce as prayed for by the instant petitioner in this apparently non-collusive suit.

In view of the observations made above it is ordered,
that the petitioner Shri Mangal Chan Sutradhar, S/o- Shri Pashunath Sutradhar of Dakshin Haldibari, PS- Kumargram, Dist:- Alipurduar gets hereby a decree of divorce as prayed for as against Smt Gita Das, W/o – Mangal Chan Sutradhar, D/O Nagendra Das of Paschim Chepani PO- Chepani, PS- Samuktala, Dist: Alipurduar and his marriage tie with present respondent stands hereby legally terminated.

The instant suit [Mat Suit no.- 244/14] is accordingly disposed of ex parte without any order of cost.

Let a copy of this order be handed over to the petitioner at once free of cost.

Typed and prepared by myself.

Addl. District Judge,
F T C-II, Alipurduar.

Order dt. 21.09.2016

Today is fixed for the ex parte hearing of the suit being filed u/s 13(A) of the Hindu Marriage Act, 1955. The petitioner is present along with her Ld. Advocate. The petitioner has filed the verified examination-in-chief and was also examined on dock ex parte. The case record is hereby taken up for passing necessary order towards the ex parte disposal of the case.

Be it mentioned here that the OP / Respondent appeared on receipt of notice from the court, filed wakalatnama, filed written statement and thereafter altogether disappeared from the scenario by remaining absent without steps on repeated dates and for that this court had to take up the instant case for ex parte disposal.

From the plaint, and the written and oral evidence of the petitioner this much may be safely presumed to be not untrue that the respondent is her legally married husband since last more than 3 years. That since after the marriage the respondent husband subjected her to cruelty in more ways than one like assailing her character and feminine modesty, attributing ill repute to her and at times got physically assaulted by the husband by sandals. It was also submitted that the respondent is not at all willing to continue conjugal life under any circumstances. On 14.06.2014 the petitioner was driven out from her matrimonial house by her husband and is presently refuged at her paternal house in distress. Several attempts of reconciliation of this matrimonial dispute went futile and all these circumstantially compelled the petitioner to come up with the present suit.

A meticulous scanning of the materials in hand this much reveal that there is hardly any chance of further cohabitation of these spouses and that the respondent / husband was found willfully reluctant to contest the petitioner's claim. From such conduct of the respondent above presumption gets further fortified. In the circumstances I find nothing bad in law and facts to pass a decree of divorce as prayed for by the instant petitioner in this apparently non-collusive suit.

In view of the observations made above it is ordered,
that the petitioner Smt. Rinku Majumder @ Adhikary, W/O Sri Kalyan Adhikary, D/o- Shri Krishnapada Majumder of Hedayet Nagar, PO- Jateswar, PS- Falakata, Dist:- Alipurduar gets hereby a decree of divorce as prayed for as against Shri Kalyan Adhikary, S/o - Late Khirodlal Adhikary of Stationpara, PO & PS- Dinhata, Dist: Coochbehar and her marriage tie with present respondent stands hereby legally terminated.

The instant suit [Mat Suit no.- 147/15] is accordingly disposed of ex parte without any order of cost.

Let a copy of this order be handed over to the petitioner at once free of cost.

Typed and prepared by myself.

Sd/-

Addl. District Judge,
F T C-II, Alipurduar.

Order dt. 12.08.2016

Today is fixed for the ex parte hearing of the suit being filed u/s 13 of the Hindu Marriage Act. The petitioner is present along with his Ld. Advocate. The petitioner has filed the verified examination-in-chief and was also examined on dock ex parte. The case record is hereby taken up for passing necessary order towards the ex parte disposal of the case.

Be it mentioned here that the OP / Respondent appeared on receipt of notice from the court, filed wakalatnama, filed written statement and thereafter altogether disappeared from the scenario by remaining absent without steps on repeated dates and for that this court had to take up the instant case for ex parte disposal.

From the plaint, and the written and oral evidence of the petitioner this much may be safely presumed to be not untrue that the the respondent is his legally married wife since last more than 12 years. That since after the marriage the respondent husband subjected her to cruelty in more ways than one like assailing her character and feminine modesty, attributing ill repute to her and at times got physically assaulted by the husband by sandals. It was also submitted that the respondent is not at all willing to resume conjugal life under any circumstances. On 10.06.2014 the petitioner was driven out from her matrimonial house by her husband and is presently refuged at her paternal house in distress. Several attempts of reconciliation of this matrimonial dispute went futile and all these circumstantially compelled the petitioner to come up with the present suit.

A meticulous scanning of the materials in hand this much reveal that there is hardly any chance of further cohabitation of these spouses and that the respondent / husband was found willfully reluctant to contest the petitioner's claim. From such conduct of the respondent above presumption gets further fortified. In the circumstances I find nothing bad in law and facts to pass a decree of divorce as prayed for by the instant petitioner in this apparently non-collusive suit.

In view of the observations made above it is ordered,
that the petitioner Smt. Lipi Mondal @ Sarkar, D/o- Sri Khagen Sarkar, vill- Darikamari, PO- Kushiyaarbari, PS- Ghoskadanga, Dist:- Coocgbehara gets hereby a decree of divorce as prayed for as against Ratan Mondal, S/o – Sri Gopal Mondal, vill- Old Hasimara, PO- Hasimara, PS- Jaigaon, Dist: Jalpaiguri and her marriage tie with present respondent stands hereby legally terminated.

The instant suit [Mat Suit no.- 207/15] is accordingly disposed of ex parte without any order of cost.

Let a copy of this order be handed over to the petitioner at once free of cost.

Typed and prepared by myself.

Addl. District Judge,
F T C-II, Alipurduar.

