

Order no. 15
18.07.2026

This day was fixed for ex parte hearing. The petitioner-husband in present in Court along with his Ld. Advocate.

The petitioner is examined on affidavit. Documents are marked Exts. 1 and 2.

The Ld. Advocate for the petitioner is heard in support of the application under Sec. 13 of the Hindu Marriage Act, 1955.

Put up on 4 PM today for order.

ADJ (WB00809)
4th Court, Bhmp.

Order no. 16
Later at 4 PM

The petitioner was married to the opposite party – Mampi Ghosh on 6 December 2015, in accordance with Hindu rites and customs. The marriage was registered on 7 December 2019. In terms of the averments made in the application for divorce, the opposite party is ill-tempered and foul mouthed. It is also there in the application that the opposite party used to quarrel with the parents of the petitioner over trivial issues, and used expletives against them with shocking frequency. The opposite party was not happy with her matrimonial abode; she was not interested in doing any domestic chores; and had no remorse declaring of her intention not stay with the petitioner as husband and wife. After trying to poison her husband the opposite party, on 1 May 2021, left the matrimonial abode and started residing at her father's place. When the husband had gone to bring back the wife he was treated to the filthiest of abuses; he returned alone. Subsequently, the opposite party married Abhijit Mondal (the second opposite party herein) and started to live with the latter as man and wife. No sooner than the petitioner acquired knowledge of the opposite party's marriage he approached the court with the instant petition for divorce.

The opposite party had entered appearance on 21 September 2024. However, as she was found absent on call it was directed that the matter was to be heard against her ex parte.

The husband's evidence (on affidavit) is in line with his pleading. The husband has repeated, on oath, the charge of bigamy against the wife.

The marriage registration certificate (Ext. 1) indicates the existence of nuptial relationship between the parties.

The husband's unchallenged testimony on record in general and the assertion of bigamy in particular establishes the charge of cruelty against the opposite party. Remarriage during the subsistence of a prior marriage is certainly

one of the most potent acts of cruelty that a spouse can commit against another spouse. It also a certainty that after such act of cruelty the aggrieved spouse cannot be expected to put up and continue with the charade of being married to the spouse who gave the cruellest of cut.

The parties, it is reported, have no children.

In my considered opinion, the husband has established his right to seek divorce.

Court fee paid is correct.

Hence,

O r d e r e d

That the application for divorce registered as Mat. 271 of 2021 is allowed ex parte but without any order as to costs.

The petitioner Rajib Ghosh does get a decree of divorce against the opposite party Mampi Ghosh under Sec. 13 (1) (ia) of the Hindu Marriage Act, 1955.

The marriage between Rajib Ghosh and Mampi Ghosh which was solemnized on 6 December 2015 is hereby dissolved by decree of divorce.

Let a decree be drawn up accordingly.

ADJ (WB00809)

4th Court, Bhrrmp.