

IN THE COURT OF THE ADDITIONAL DISTRICT JUDGE, 3RD COURT,
AT MALDA.

Mat Suit No 137 of 2025
CNR WBML01-001120-2025



Present:- Monodeep Dasgupta
Addl. Dist. & Sessions Judge,
3rd Court, Malda.
(J.O. CODE WB00967)

Hema ShilPetitioner

-Vs-

Dipak Pramanik.....Respondent.

Order No. 06 dated 02.06.2026:

Today is fixed for passing exparte order.

Petitioner **Hema Shil** 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 the 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 **03.03.2006** according to Hindu rites and customs from the paternal house of the petitioner that situates at Vill- Nageswarpur, PO- Sahapur, PS + Dist. Malda. After the marriage, the petitioner and respondent started residing together as spouses at the house of the respondent that situates at Vill- Biswanathpur, PS- Banshihari, District- Dakhin Dinajpur. It is further stated by the petitioner that no child was born in the said wedlock. It is the case of the petitioner that during her stay at her matrimonial house, the respondent and his family members started subjecting her to physical and mental cruelty over family affairs and kept her deprived from the bare necessities of survival. The petitioner has further stated that thereafter the respondent insulted her by abusing her with filthy languages and treated her with gross negligence and persecution. The petitioner has further stated that finally on 15.08.2008, the respondent mercilessly assaulted her and thereafter drove her out from her matrimonial house. The petitioner has further stated that since 15.08.2008 she is residing separately from the respondent and she is under the apprehension that the matrimonial relationship between her and the respondent shall never revive in the shape of normal conjugal relationship, and as such she has filed the instant suit for dissolution of her marriage with the respondent by decree of divorce on the ground of cruelty and desertion.

The Respondent Dipak Pramanik, after receipt of notice of this instant suit, appeared to contest the claim of the petitioner. But, no separate written statement was filed by him to challenge, rebut, and to contradict the version of the petitioner within the stipulated period for which the instant suit was slated for ex-parte hearing.

The petitioner, Hema Shil 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 her case, as made out in the plaint and the factum of cruelty and desertion by the respondent Dipak Pramanik over family affairs. 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(1) of the Hindu Marriage Act, 1955, for divorce on the ground of cruelty and desertion.

C.F paid is correct.

Hence it is

Contd.....

Order No. 06 dated 02.06.2026

Contd.....

ORDERED

That the application u/s. 13(1) of the Hindu Marriage Act, 1955 filed on 12.03.2025 being MAT Suit no. 137/2025 (*CIS 137/2025*) is allowed ex-parte against the respondent **Dipak Pramanik**, but without any order as to costs.

The marriage solemnized between the parties namely **Hema Shil and Dipak Pramanik** on 03.03.2006 according to Hindu rites and customs, is hereby dissolved by decree of divorce with effect from this day.

Let a copy of this order be given free of cost to the petitioner **Hema Shil**.

Decree be drawn up accordingly.

D/C by me

Additional District Judge
3rd Court, Malda.

Additional District Judge
3rd Court, Malda.