

ORDER SHEET

IN THE COURT OF THE ADDITIONAL DISTRICT JUDGE, CHANCHAL, MALDA

**Matrimonial Suit No. 107/2025**

Present : Shri Joy Sankar Roy (J.O. Code- WB00858)  
Additional District Judge, Chanchal, Malda

06

06-04-2026

This day is fixed for passing order of an application under section 13(B) of Hindu Marriage Act.

The petitioner/husband Manoj Kumar Bharti and the petitioner/wife Subhadra Jain @ Neha Devi file respective haziras through their respective Ld. Advocates.

Both of them already filed written evidence under Order 18 Rule 4 CPC.

Petitioner/husband Manoj Kumar Bharti has been examined as PW-1 under Order 18 Rule 5 C.P.C. Similarly Subhadra Jain @ Neha Devi being petitioner/wife has been examined as PW-2. The petitioner No. 2 produced Aadhar Card (copy of Aadhar card marked as Exhibit-A) and the birth certificates of her two children (copies of birth certificates card marked as Exhibit-B & C). The petitioner No. 1 produced Aadhar Card (copy of Aadhar card marked as Exhibit-1) and marriage invitation card (marriage invitation card marked as Exhibit-2).

Heard submission of Ld. Lawyer of both sides.

Perused the petition and other materials on record. Considered.

It appears from the recrod that an endeavour was made on 04-08-2025 before the Mediator, Mediation Center for reconciliation but same was failed.

The case of the petitioners as reflected from the application under section 13(B) of Hindu Marriage Act, 1955 in short, is that Manoj Kumar Bharti married with Subhadra Jain @ Neha Devi as on 10-03-2008 according to Hindu rites and customs at the father house of petitioner No. 2 Subhadra Jain @ Neha Devi within the jurisdiction of this court and their marriage was duly consummated. After the marriage the petitinoer No. 2 went to her matrimonial home and started living with the petitioner No. 1 as husband and wife and out of their wedlock two male children were born. After some time owing to the differences in temperament, habits, tests, thoughts and increasing incompatibility, the relationship between the petitioners deteriorated. Frequently quarrels resulted between them. Finally after very serious quarrel and in order to avoid further deterioration in relationship which might reflect on their families and friends, they separated themselves on and from 03-12-2019 and the petitioner No. 2 started living at her father's house and did not returned back. Thereafter both the petitioners have mutually agreed to dissolve their marriage tie ultimately finding no alternative way to come into conclusion of mutual divorce. Since the marriage, according to them is irretrievably broken and there is no chance of restoration of the said marriage, the instant application for divorce on mutual consent is filed.

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Both the petitioners being husband and wife supported the statement made under oath and reiterated the same fact by corroborating their statements made in the application under section 13(B) of Hindu Marriage Act, 1955. I do not find any reason to disbelieve their statement. Accordingly, I am of the view that the marriage is broken down and as such, it is a fit case to pass an order under section 13(B) of Hindu Marriage Act, 1955.

CF paid is correct.

Hence, it is,

O R D E R E D

that the application filed by Manoj Kumar Bharti and Subhadra Jain @ Neha Devi under section 13(B) of Hindu Marriage Act, 1955 is allowed on consent. The marriage between them held on 10-03-2008 stands dissolved by a decree of divorce on mutual consent under section 13(B) of Hindu Marriage Act, 1955.

Decree be drawn up accordingly forthwith.

Dictated & corrected by me

A.D.J,Chanchal, Malda.

Additional District Judge, Chanchal, Malda.

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