

COURT OF THE ADDITIONAL DISTRICT JUDGE, F.T.C.,
AT RANAGHAT (DIST.-NADIA).

Mat Suit No. 568 of 2017 CIS No. 256 of 2026
CNR No. WBND 120003052026

Present: **Sri Gautam Kumar Nag (WB01033)**
Additional District Judge,
F.T.C., Ranaghat (Nadia)

Orjita BiswasPetitioner no.1/wife

AND

Probalendu Nath Sadhukhan Petitioner no.2/husband

Order No. 33 dated 05.06.2026:

Today is fixed for passing ex parte order.

Petitioner **Orjita Biswas** 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 25(1) of the Special Marriage Act for a decree of nullity of her marriage registered with the respondent.

The marriage between the petitioner and respondent was registered on **20.07.2016** under Special Marriage Act, before the Marriage Officer Bijan Bandhu Das Ranaghat, Dist. Nadia. It is the further case of the petitioner that after registration of their marriage the respondent never took her to his house for starting their conjugal life on the pretext that his family members have not given consent to their registered marriage. But even after waiting for a considerable period of time, the respondent never took her to his house. The petitioner had further stated that on 27.09.2016 the cause of action of this suit arose as the respondent finally refused to lead conjugal life with the petitioner. The petitioner has further stated that after registration of the said marriage, there was no cohabitation between her and the respondent. She has further stated that her registered marriage with the respondent was never consummated owing to the willful refusal of the respondent to consummate the marriage. Since the registration of the said marriage, the petitioner is residing separately from the respondent and she is under the apprehension that her matrimonial relation with the respondent shall never revive in the shape of normal conjugal relationship, as the respondent willfully refused to consummate the marriage and to lead a conjugal life with her at his house and as such she has filed the instant case for severing her marital tie with the respondent by a decree of nullity of her marriage registered on 20.07.2016 under the Special Marriage Act.

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The Respondent **Probalendu Nath Sadhukhan**, after due receipt of notice of this instant matrimonial suit, did not turn up before this court and hence this suit proceeded ex parte against the respondent.

The petitioner, **Orjita Biswas** 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. She also proved the registration of her marriage with the respondent by submitting the original certificate of registration which was marked as **Exhibit P1**. The oral testimony of the petitioner as P.W.-1 remains unchallenged and uncontroverted from any quarter. P.W 1 duly proved that after registration of her marriage with the respondent, there was no consummation of the said marriage between them due to willful refusal by the respondent.

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 25 (1) of Special Marriage Act, for a decree of nullity of her marriage registered with the respondent on 20.07.2016.

C.F paid is correct.

Hence it is

ORDERED

That the application u/s. 25 (1) of Special Marriage Act filed on 08.11.2017 being MAT Suit no. 568/2017 (CIS 256/2026) is allowed ex-parte against the respondent **Probalendu Nath Sadhukhan**, but without any order as to costs.

The marriage registered between the parties namely **Orjita Biswas and Probalendu Nath Sadhukhan** on **20.07.2016** hereby stands dissolved by a decree of nullity with effect from this day.

The marriage registration certificate being no. 495/16 dated 21.09.2016 issued by the Marriage Officer Bijan Bandhu Das stands canceled with immediate effect.

Let a copy of this order be given free of cost to the petitioner **Orjita Biswas**.

Decree be drawn up accordingly.

D/C by me

Sd/- G.K. Nag
Additional District Judge
FTC, Ranaghat, Nadia

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