

IN THE COURT OF THE ADDITIONAL DISTRICT JUDGE
4th COURT, BARASAT, NORTH 24 PARGANAS.

Present – Sri Parag Neogi (J.O. Code No. WB 00957)
Additional District Judge, 4th Court,
Barasat-in-charge, North 24 Parganas.

Mat Suit No. 1813/2025
CNR: WBNP01-008025-2025

In the matter of

An application under Section 28 of the Special Marriage Act, 1954

and

In the matter of

Smt. Subhadra Dakua	Petitioner No.1
&		
Sri Sujit Mondal	Petitioner No.2

Order No. 04, dated 05.03.2026

Both parties are present by filing their respective haziras.

Ld. Lawyers of both the petitioners are also present.

Today is the date fixed for reconciliation and hearing.

Prior to putting them into examination and inquiry the court has taken initiative to reconcile the matter but the effort taken by the court to reconcile went in vain.

Both parties i.e. petitioner No 1/wife **Smt. Subhadra Dakua** and petitioner No.2/husband **Sri Sujit Mondal** filed their respective examination in chief on affidavit today.

They are examined as petitioner No.1 and petitioner No.2 respectively and discharged.

Self attested copy of Aadhar Card filed by the petitioner No 1/wife after comparing with original is marked as Exbt.1. Original marriage registration certificates filed by her are marked as Exbt.2 (collectively).

Self attested copy of Aadhar Card filed by the petitioner No. 2/husband after comparing with original is marked as Exbt.3.

Contd....

Mat Suit No. 1813/2025Contd... Order No. 04, dated 05.03.2026

Now the case record is taken up for passing order in respect of the application filed by the petitioners under Section 28 of the Special Marriage Act 1954 on 14.08.2025.

This is an application under Section 28 of the Special Marriage Act 1954 filed by the petitioners praying for passing decree of divorce on mutual consent. The case of petitioners is that their marriage was solemnized and registered on **21.09.2023** as per Special Marriage Act. After marriage the petitioner No. 1 went to her matrimonial home at Purbasha Khatalata, P.O. & P.S. - Barasat, North 24 Parganas, which is within the jurisdiction of this court. Their marriage was duly consummated. A female child was born within their wed-lock namely Jhalak Dakua, aged about 1 year who is under the care of the petitioner No. 1. But unfortunately parties could not adjust with each other due to their differences and when the efforts of reconciliation between the parties to continue their marital status have failed and then their marriage tie has broken down and to that effect they have been residing separately since **15.03.2024** and there is no cohabitation between the parties since then.

Hence, this case.

Perused the petition as well as evidence of the parties and documents filed by them before the Court.

From the averment made in the application and as well as the testimony of the petitioners on dock and the document submitted by them it is found that marriage amongst the petitioners was registered on 21.09.2023 as per Special Marriage Act.

The parties have been living separately from 15.03.2024 owing of their difference in test and temperament and attempt of reconciliation between them failed. The application under Section 28 of the Special Marriage Act have filed on 14.08.2025 and the statutory cooling period is over but still the parties failed to reconcile their differences. When both the petitioners are unwilling to continue their marital tie and living separately for more than one year and have taken the final decision to separate and dissolve the existing marital tie, then this court find no impediment in allowing the petition.

Contd....

Mat Suit No. 1813/2025

Contd... Order No. 04, dated 05.03.2026

Hence, it is

ORDERED

that the Mat suit being No. 1813/2025 under Section 28 of the Special Marriage Act be and the same is decreed on mutual consent without cost.

The marriage registered on 21.09.2023 as per Special Marriage Act between the parties, namely, **Subhadra Dakua** and **Sri Sujit Mondal** is hereby dissolved on mutual consent, which effects from the date of this day i.e. 05.03.2026.

The certificates of marriage are hereby cancelled with effect from the date of this order.

Dictated and corrected by me,

ADJ, 4th Court, Barasat (I/C)

Additional District Judge,
4th Court, Barasat -in-charge
05.03.2026