

Mat Suit No.2792 of 2025
Smt Mousumi Adhikari =Vs= Sri Bappa Ghosh.

Present: Sri Somnath Bhattacharyya.
Additional District Judge, 3rd Court,
North 24 Parganas at Barasat.
[J.O Code No.WB-00726]

Order No.4
dated 09.07.2026

Both parties are present.

Ld Counsels for both the sides are also present.

The case is taken up for reconciliation.

Reconciliation fails.

The record is taken up for passing order.

Petitioners have filed Examination in-Chief under Order 18 Rule 4 of C.P.C and examined as PW-1 & 2 respectively and documents have been marked as Exhibit-1 to 5 respectively.

This is an application u/s.13B of the Hindu Marriage Act filed by the petitioners, praying for divorce on mutual consent. The petitioners filed their application on **24.12.25**, wherein they contended that their marriage was solemnized on **12.07.2013**, according to the Hindu rites and customs and the said marriage was duly registered on **08.01.14** as per Hindu Marriage Act, 1955. After marriage they lived together as husband and wife and their marriage was duly consummated and from their wedlock **a female child named Ishita Ghosh was born**. It is stated that relation between the parties became strained day by day since marriage and they could not adjust with each other and due to difference of opinion and temperament, parties have been living separately since **23.03.2023**. Having failed to resolve their dispute they have mutually agreed that their marriage should be dissolved by a decree of divorce on mutual consent.

The petitioners have tendered in evidence their respective examination-in-chief supported by affidavit.

I have taken into consideration the evidence of the petitioners and the averments made in their joint petition. It transpires that marriage between the parties was solemnized in accordance with the Hindu rites and customs and they have been living separately for more than a year before presenting the petition. It also appears that they failed to resolve their dispute and accordingly continued to live separately since **23.03.2023**.

I do not find anything to disbelieve the averments made in the petition filed by the parties. There is no collusion, coercion and undue influence in filing this application as both parties have filed the application voluntarily. It also appears that they have agreed to dissolve their marriage by a decree of divorce on mutual consent.

Having considered the averments made in the joint petition as well as the evidence on record, I am of the opinion that the petitioners are entitled to get divorce on mutual consent in accordance with the provision laid down under Section 13B of the Hindu Marriage Act, 1955.

Hence, it is,

ORDERED

That the application U/s. 13B of the Hindu Marriage Act, titled **Smt Mousumi Adhikari =Vs= Sri Bappa Ghosh**, be and the same is allowed on mutual consent. Accordingly, the marriage **registered on 08.01.14 as per Hindu Marriage Act, 1955** between the parties namely **Smt Mousumi Adhikari and Sri Bappa Ghosh** is hereby dissolved by a decree of divorce with effect from this date of order. The Marriage Certificate bearing No.**28/14 dated 08.01.2014** is hereby canceled from the date of this order. Decree be prepared in separate sheet accordingly. There shall be no order as to costs. The petition under Section 13B of H.M Act be made part of decree.

B.C-II to note it in the relevant register.

Copy of decree be supplied to the parties free of cost.

Let a copy of this order be sent to the Marriage Officer at the cost of the petitioners for information.

Record be consigned to the Record Room after necessary compliance.

Upload in CIS immediately.

Dict.& corrected by me,

Addl. District Judge,
3rd Court, Barasat.

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3rd Court, Barasat.
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