

IN THE COURT OF ADDITIONAL DISTRICT AND SESSIONS
JUDGE, FAST TRACK 2nd COURT, BANGAON,
NORTH 24 PARGANAS

Present : Sri Mrityunjay Karmakar,

JO Code: (WB00917)

Mat Suit No. 672 of 2025

CNR: WBNP006-0002069-2025

In the matter of

Sri Sourav Banerjee Petitioner

Vs

Smt. Sushmita Halder Respondent

Application under Section 25 (i) of the Special Marriage Act, 1954
for annulment of marriage by a decree of nullity.

Order no. 8,

Date:12-08-2026

(Ex parte)

Today the date is fixed for Evidence/ hearing of this suit. The petitioner is present and files hazira along with his Ld. Lawyer. The petitioner has filed his examination in chief on Affidavit.

The record is taken up for evidence hearing of this suit. The petitioner deposed as PW-1 and his mother Putul Banerjee deposed as PW-2. The petitioner during his evidence stated that his marriage was solemnized with **Sushmita Halder** on 02-03-2025. The petitioner submitted the marriage certificate of his marriage with **Sushmita Halder** and the same has marked as **Exbt. - 1**. He also stated that his marriage was not socially performed. **Sushmita Halder** is not willing to marry him socially. She did not say why she is not ready to marry socially with him.

Now the record is taken for order.

It appears from the record that the petitioner and the respondent marriage with each other on **02-03-2025 as per Special Marriage Act** before the Marriage Officer **Abdul Adut Mondal**, having his office at Talsa ,Barasat, Dist: North 24 Parganas and their marriage was not socially solemnized and the said marriage was not consummated as the parties never reside as husband and wife under the same roof. During evidence, the petitioner and his mother examined as PW 1 and P.W. Petitioner has filed one computer generated marriage certificate issued by Marriage Registrar **Abdul Adut Mondal**. The said marriage certificate has marked as **Ext. 1**.

The petitioner filed this suit against the Respondent for annulling the marriage registered between the parties on 02-03-2025 as per Special Marriage Act, 1954 before the Marriage Registrar **Abdul Adut Mondal**. It is stated by the petitioner that after registration of his marriage with the Respondent, she refused to solemnized the social

marriage despite repeated request made by him and she was not interested to live with the Petitioner as husband and wife. Petitioner stated that respondent does not agree to social marriage. The marriage between the parties was not consummated till date due to willful refusal on the part of the Respondent.

After filing of the suit, summon was sent to the Respondent through local P.S. and she received the summon of the court 02/05/2026. Notice was also sent to her through speed post and the Respondent did not appear before the Court in spite of receiving summon of the court.

I have perused the record, the affidavit and the deposition made by the petitioner and his mother. It appears that after registration of marriage both the parties did not live together as husband and wife and accordingly their marriage has not been consummated owing to willful refusal of the Respondent to start conjugal life as husband and wife.

Respondent did not counter the allegations despite opportunity. The Court finds no ground to doubt the uncontroverted testimony of the Petitioner and his mother on dock. Marriage registration certificate has been marked as **Exbt. P-1**.

Therefore, considering the facts and circumstances, I am of the view that there is no legal impediment to pass an order in respect of annulment the marriage between the petitioner and the Respondent registered on **02-03-2025**.

In the result, the matrimonial suit succeeds. Court fees are paid correctly.

Hence, it is

ORDERED

That the **Matrimonial Suit No. 672 of 2025** be and the same is decreed uncontested without any order as to costs.

The petitioner does get a decree of nullity under **Section 25 (i) of the Special Marriage Act, 1954** for annulment of marriage.

The marriage registered in between the petitioner **Sri Sourav Banerjee** and the Respondent **Smt. Sushmita Halder** on **02-03-2025** as per the Special Marriage Act, 195 is hereby annulled by a decree of nullity with effect from the date of decree.

The marriage certificate issued by Marriage Registrar **Abdul Adut Mondal**, on **02-03-2025 bearing no. WB33700407020300102719-2025-14102 dated 02-03-2025**, is henceforth rendered null and void.

A.D.J. , Fast Track 2nd Court
Bongaon, North 24 Pgnos
(JO Code: WB00917)

Typed and corrected by me :

A.D.J. , Fast Track Court, 2nd Court
Bongaon, North 24 Pgnos