

**In the Court of Additional District Judge, 2<sup>nd</sup> Court,  
Bangaon, North 24 Parganas**

**Matrimonial Suit No. 716 of 2025**

CNR No. WBNP 06002170-2025

Present: Smt. Kumkum Singha (WB00712)  
Additional District Judge, 2<sup>nd</sup> Court,  
Bangaon, North 24 Parganas

Order No.05 dated 10.04.2026

Today is fixed for ex parte hearing of this suit.

Petitioner/husband is present along with his Ld. Lawyer.

The affidavit in chief filed by the petitioner Sri Jit Mondal and his mother Smt. Mamani Mandal are tendered in open Court.

The petitioner Sri Jit Mondal has been examined as PW1 and his mother Smt. Mamani Mandal has been examined as PW2 and they are discharged. Through PW1 the original Marriage Registration Certificate is marked as Ext.-1.

On prayer of the petitioner evidence is closed.

Record is taken up for passing order.

This is a Matrimonial Suit under Section 25(i) of the Special Marriage Act, 1954.

The petitioner's case, in brief, is that the respondent Smt. Puja Biswas is his wife and their marriage was registered on 04.02.2021. Since after their marriage the petitioner on several occasion requested the respondent to solemnize their social marriage but the respondent deliberately refused to consummate the marriage. The said marriage has not been consummated till date owing to willful refusal of the respondent/wife. The respondent denied to live as husband and wife with the petitioner. They never lived as husband and wife. It was disclosed by the respondent's family members that the respondent can get married further with any other person holding better status and also a better economic condition rather than the petitioner. Since the registration of marriage the petitioner tried his level best to consummate the marriage but all efforts went in vain. The petitioner has prayed for annulment of their marriage. Hence the instant suit.

The respondent though appeared in this case but ultimately did not contest this case for which this Court fixed the matter for ex parte hearing.

In support of his case, the petitioner/husband has examined himself as P.W.1 and his mother, namely, Smt. Mamani Mandal has deposed as PW2 in addition to filing their affidavit in chief. On perusal of the marriage registration certificate (Exhibit-1), I find that the marriage between the parties was registered on 04.02.2021 under the provision of the Special Marriage Act, 1954. It has been stated that the parties never lived as husband and wife and their marriage has never been consummated owing to the willful refusal of the respondent/wife to consummate the marriage.

From the unchallenged and corroborated testimony of PW1 and PW2 it appears that he had successfully proved his case and entitled to get the decree of nullity.

The Court Fee paid is correct.

Hence, it is,

O R D E R E D

That the **Matrimonial Suit No. 716 of 2025** be and the same is decreed ex-parte but without cost.

The petitioner, **Sri Jit Mondal**, do get an ex parte decree of nullity of their marriage against the respondent/wife, **Smt. Puja Biswas**. The marriage registered between the parties on 04.02.2021 under the Special Marriage Act, 1954 is hereby annulled from the date of this order u/s. 25 (i) of the Special Marriage Act, 1954.

Draws the decree accordingly.

Let a copy of this order be supplied to the petitioner free of cost.

Dic.& corrected by me

ADJ, 2,BNG.

Additional District Judge  
2<sup>nd</sup> Court, Bangaon,  
North 24 Parganas