

In the Court of the Additional District Judge, 1st Court, Purulia

Present : Sri Ambarish Ghosh (WB00790)
Addl. District Judge,
1st Court, Purulia (In-charge)

Mat Suit No. 189 of 2022 (Reg 189/2022)
CNR No. WBPU01-002976-2022

In the matter of
An application under Section 13(i)(a) of the Hindu Marriage Act, 1955

Priyanka Kumbhakar Petitioner

Srikanta Kumbhakar O.P./Respondent

06.08.2026

Today is fixed for ex-parte hearing.

The petitioner is present by filing hazira.

No step is taken by the Respondent and also found absent on calls.

Now the case record is taken up for ex parte hearing.

Heard the Ld. Advocate for the Petitioner.

This is a suit U/s 13(i)(a) of Hindu Marriage Act, 1955 filed by the petitioner against the OP/Husband.

The gist of the petitioner's case is that the petitioner and the respondent are legally married spouse and their marriage was solemnized on 10th day of August in the year 2020 corresponding to the 25th day of Sraban 1427 as per Bengali calendar according to Hindu rites and customs prevailing in their society and in the presence of near relatives of both the parties at Village-Matipur. PO & PS-Hura, Dist.-Purulia (W.B.). At the time of marriage the respondent and his family members demanded Rs.2 lakhs in cash from the father of the petitioner. However the father of the petitioner able to manage Rs.1 lakh in cash by taking loan from near relatives and also provided golden ornaments measuring 60gms., all household furniture and other household utensils to the respondent as per demand of the respondent and his family members. After marriage the respondent brought the petitioner to her matrimonial house at Village-Simla, PO-Kesia, PS-Khatra, Dist.-Bankura and the marriage between the parties duly consummated. After few days of marriage the petitioner was subjected to immense physical and mental torture by the respondent and his family members. She was often teased by the respondent and her other in-laws as her father was not provided adequate cash to the respondent and the quality of

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the furnitures and ornaments are of inferior quality. The mother-in-law of the petitioner snatched away all golden ornaments from the petitioner on the pretext of safe custody. The petitioner was subjected to immense physical and mental torture by the respondent and his family members in lieu of extra demand of dowry of Rs.1 lakh from the father of the petitioner. The respondent even threatens to kill the petitioner if her father not fulfills the greed of the respondent by providing Rs.1 lakh to him.

The caustic comments and torture by way of both physical and mental by the OP and his family members become unbearable to the petitioner day by day. It was become the practice of the OP to beat the petitioner off and on by raising very petty household issues. The petitioner bears all such tortures inflicted by the OP and his family members with a hope that all such things will be normalized in the span of time, but all in vain. When such state of things were going on the petitioner in the early month of November, 2021 she became pregnant and upon hearing the same the respondent and his family members increased torture upon the petitioner. She was never provided proper food and clothing in her matrimonial house. The respondent even tried to kill the foetus in the petitioner's womb. As a result, the petitioner become seriously ill in her matrimonial house. When the petitioner tried to contact with her parents the respondent broken down the petitioner's mobile phone.

On 12.01.2021 when the father of the petitioner visited the matrimonial house of the petitioner to meet her daughter at Village-Simla, PO-Kesia, PS-Khatra, Dist.-Bankura, even he was not allowed to meet the petitioner instead of the respondent and his family members abused him with filthy languages and when the petitioner came out and saw his father and requested the respondent and other in-laws with folded hands for not behave with his father in such inhuman manner. Then the respondent and his family members became furious and forcefully driven out the petitioner from her matrimonial house after beaten her mercilessly. Since then the petitioner resides in her parental house at Village-Matipur, PO & PS-Hura, Dist.-Purulia. Since 12.01.2021 the petitioner resides in her parental house at Village-Matipur, PO & PS-Hura, Dist.-Purulia and on 24.05.2021 the petitioner gave birth to a female child at Hura Rural Hospital, Purulia and name of the said is Arushi Kumbhakar.

In this case, the respondent appeared on 15.05.2023 but failed and neglected to file any written objection and the suit was declared to be heard ex-parte.

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The petitioner is examined on dock on 06.08.2026. She tendered her examination-in-chief in the form of Affidavit and also proved the Birth Certificate of her child which was marked as **Exbt.1**. The petitioner has alleged that she was married with the respondent as per Hindu rites and customs. Her father provided dowry as per his capacity but after few days of the marriage she was subjected to physical and mental torture on demand of further dowry and subsequently she was driven out from her matrimonial home and since then she has been residing at her father's house at Village-Matipur, PO & PS-Hura, Dist.-Purulia.

Considering the fact that her testimony is undisputed and unchallenged though the OP has all the opportunity to disagree, dispute and denial the petitioner's case. The OP chooses to remain silent. This Court has nothing to disbelieve the unchallenged and undisputed testimonies of the petitioner. Hence, this Court hold the petitioner has been able to prove her case.

C.F paid is sufficient.

Hence, it is,

ORDERED

that the Matrimonial Suit No.189/2022 is decreed *ex-parte* without any costs. The marriage tie in between Priyanka Kumbhakar and Srikanta Kumbhakar is hereby dissolved by a decree of divorce with effect from this day, i.e. 06.08.2026.

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

Dictated and corrected

Sd/-

Addl. District Judge
1st Court, Purulia (I/C)

Sd/-

Addl. District Judge
1st Court, Purulia (I/C)