

Order No.04 dated: 08-09-2025

Today is fixed for hearing.

Both the parties file hazira and they are present in Court. On call Ld. Advocates for both the parties are also found to be present.

The parties to this proceeding have also files their respective evidence by swearing affidavits following the modalities of Order XXVIII Rule 04 of the Code of Civil Procedure. Let those be made part of the case record.

This suit being one for dissolution of marriage by a decree of divorce on mutual consent, yet it is incumbent on this Court to comply with the mandatory provisions of section 13(B) of the Hindu Marriage Act to make attempt for reconciliation between the parties.[See ***Pramila Bhagat vs. Ajit Raj Singh, AIR 1989 Pat 163.***]

Hence in discharge of such legal obligation, I have made sincere efforts to sort out their dispute and reconcile the dispute between them. On interrogation it has been satisfactory established that the chance of re-union is bleak and the petitioners are found not willing to live together any more as married couple. As an obvious out come the effort for reconciliation fails.

As a progressing action, the suit is taken up for hearing.

Both the petitioners are examined on dock on oath. Both the parties admitted to the voluntary execution of their respective affidavit-in-chief after knowing thoroughly well contains thereof.

The original marriage certificate is marked as **Exhibit-01** on admission. The self-attested photocopy of Aadhar Card of petitioner no.1 is marked as **Exhibit-2** and The self-attested photocopy of Aadhar Card of petitioner no.2 is marked as **Exhibit-03**.

Heard Learned Advocates for both the petitioners. Perused the evidence recorded today.

The parties have filed the application under section 13 (B) of the Hindu Marriage Act, 1955. From exhibit 01 it is clear that the marriage was registered following the modalities of Hindu Marriage Act, 1955. It appears that their marriage was solemnized and registered on 11-03-2020 as per Hindu Marriage Act, 1955 and they are residing separately since 21-12-2020 i.e. for more than one year. There is no chance of reconciliation or reunion between them. It has also transpired that divorce as sought for on the ground of mutual consent, has not been obtained by force, fraud or undue influence; and the petition has not been presented or prosecuted in collusion between the parties. It has also transpired that there has not been any unnecessary or improper delay in instituting the proceedings; and even after thorough evaluation of the facts and circumstances exposited before me I find no other legal ground why the relief should not be granted.

In view of the above circumstances, I find no impediment to allow the prayer.

Court fees paid are sufficient.

Hence,

O R D E R E D

that the **Mat. Suit No.647 of 2025** under section 13(B) of the Hindu Marriage Act, 1955 be and the same is decreed on mutual consent. The parties do get a decree of divorce on mutual consent and the marriage subsisting between the parties namely **Smt. Minakshi Nath** and **Sri Avirup Mani** was solemnized and registered on 11-03-2020 as per Hindu Marriage Act, 1955 stands dissolved by a decree of divorce on mutual consent and the marital tie between them do stand severed from the date of decree. Their marriage certificate is hereby canceled.

Let a copy of this order be given to both the parties free of cost.

The case record be consigned to the DRR following modalities of law.

A copy of this order in PDF/PDFA format be uploaded to the server following the modalities of Rule 121A of the Civil Rules and Order of the Hon'ble High Court [since amended by Notification No. 131-G dated 15-01-2015].

Typed to the dictation directly;  
corrected on the system.

Sd/- Rajesh Chakraborty  
Additional District and Sessions Judge,  
01<sup>st</sup> Court, Alipore,  
South 24 Parganas.

Sd/- Rajesh Chakraborty  
Additional District and Sessions Judge,  
1<sup>st</sup> Court, Alipore  
South 24 Parganas.