

In the Court of Ld. Additional District & Session Judge,
3rd Court, Alipore, South 24- Parganas

Mat. Suit – 2563/2025
(CNR No. WBSP01-012424-2025)

Present : Arkabрати Neogi (WB01000),
Addl. District Judge In-charge,
3rd Court, Alipore

Order No. 04, Dated 05.03.2026:

Today is fixed for hearing.

Both parties file hazira and are present in Court along with their Ld. Counsels. The parties have filed their respective affidavits of their examination-in-chief under Order XVIII Rule 4 of the C.P. Code today. The parties have also filed certain documents.

This suit being one for dissolution of marriage by a decree of divorce on mutual consent, I have made sincere effort to sort out their dispute and reconcile them, but the petitioners are found not willing to live together any more as married couple and, therefore, the attempts of reconciliation fails.

The suit is thus taken up for final hearing. Both the petitioners are examined on oath as petitioner No. 1 and petitioner No.2 on the strength of their affidavits of examination-in-chief filed before this Court. The original marriage certificate is marked as Exbt.-1. The photocopy of Aadhaar Card of petitioner no.1 duly self- attested is marked as Exbt.-2. The photocopy of Aadhaar Card of petitioner no.2 duly self- attested is marked as Exbt.-3. The parties clearly stated that there is no further possibility in bringing out any reconciliation between them and they are willing to end their marriage.

Heard the Learned Counsels for both the petitioners. Perused the affidavit of the examinations-in-chief of the petitioners. The petitioners have affixed their respective photographs on their respective examination-in-chief on affidavit. The petitioners have also submitted photocopies of their Aadhaar Cards containing their respective signatures and identified by their Ld. Counsels. The original Aadhaar Cards of the parties have been placed before the Court for verification. Seen and verified the same.

It appears from the case record that the application filed on 28.08.2025 under section 28 of Special Marriage Act, 1954. The marriage of the parties was registered on 26.06.2023 under Section 13 of Act XLIII of the Special Marriage Act, 1954. However, due to disputes and differences they could not adjust themselves in their matrimonial journey and their relationship became bitter and strained. There is no issue out of their wedlock. Their disputes have been tried to be amicably settled through the intervention of family and friends but all such attempts were rendered in-fructuous. The parties thus prayed for mutual divorce.

(2)

Contd.....Order No. 04, Dated 05.03.2026:

It appears that the petitioners are residing separately since 10.09.2023 i.e, for more than one year. There is no possibility of reconciliation or reunion between them as stated by the petitioners and they have filed the amended application under section 28 of the Special Marriage Act, 1954 voluntarily.

The petitioners have stated on oath by virtue of their affidavit that no fraud, coercion or collusion is there in between them in filing this suit and I also do not find any such collusion or fraud apparent in this case. There also appears to be no other legal ground why the relief should not be granted.

In view of the above circumstances, I find no impediment in allowing the prayer.

Court fees paid are sufficient.

Hence, it is

ORDERED

that the Mat Suit No. 2563 of 2025 filed under section 28 of the Special Marriage Act, 1954 be and the same is decreed on mutual consent.

The parties do hereby get a decree of divorce on mutual consent and the marriage subsisting between the parties namely, Ipsita Chaudhury and Ashutosh Kumar which was registered on 26.06.2023 under Section 13 of Act XLIII of the Special Marriage Act, 1954 stands dissolved by a decree of divorce on mutual consent on and from this date.

Let a copy of this order be sent to the concerned Marriage Officer for information.

Dealing clerk to draw up the decree at once.

CIS be updated. Relevant note be made.

Dictated & corrected by me,

Sd/- A. Neogi
Additional District Judge I/C

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3rd Court, Alipore
South 24 Parganas