

Mat Suit No.270 of 2024

Smt. Tumpa Majumder.....Petitioner

Vs.

Sri Dinabandhu DasO.P/Respondent

Order No.12
dt-29.04.2026

Today is fixed for order.

Petitioner is present by filing hajira.

The record is now taken up for passing ex-parte order in respect of petition u/s.13 of Hindu Marriage Act, 1955 which is being registered as Mat Suit No.270 of 2024.

The facts of the petitioner's case in short is that the petitioner/wife Tumpa Majumder got married to the respondent/OP Dinabandhu Das on 10.08.2012 according to Hindu rights and customs. After marriage, the petitioner went to her matrimonial home and lived there peacefully with her husband. Out of their wedlock, one male child was born.

It is the case of the petitioner that since the birth of her son, her husband did not provide any maintenance to her and her child. She was dependent upon her father during those days. Her husband was a habitual drunkard and the respondent drinks regularly. He used to abuse the petitioner with filthy languages. The parties later shifted to a rented accommodation at Raiganj but after three months, the respondent husband on 01.01.2020 left that house and went away to Chhatisgarh. He did not return thereafter. The petitioner and her family members tried their best to get the issues settle but all the efforts failed. Finally, the petitioner went to her father's house on 01.03.2020 and since then she is living there with her son.

The OP/Respondent/husband did not appear on record. When it appeared to the court that the summons was duly served upon the OP/husband, the record was posted for exparte hearing.

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The petitioner examined herself as PW1. Another witness Utpal Sarkar deposed as PW.2. During examination of the witnesses the identity proof/Aadhar card of the witnesses were marked as exts-1 & 2.

The evidence adduced by the petitioner and her witness, in the form of affidavit in chief, fully corroborates the plaint.

I have considered the exparte evidence adduced by the witnesses.

PW1 by filing examination-in-chief supported by affidavit, which is tendered on Dock, conveys and corroborates the case, as made out in the plaint. PW2 has also fully supported the case of the petitioner. He has stated that on 10.08.2012 the parties were married according to Hindu rights and customs and on 01.03.2020, the petitioner returned to her father's house.

The respondent did not appear and contest the suit. For such reason, this suit was heard exparte.

The oral testimony of the petitioner and her witness remains unchallenged and uncontroverted.

In absence of any contrary and controverting evidences on record and as the examination-in-chief of the witnesses remains unchallenged and un-controverted, and as the witnesses have deposed on affidavit, I find no reason to disallow the prayer of the petitioner.

C.F paid is correct.

Hence, it is,

ORDERED

that the petition U/s.13 of the Hindu Marriage Act, dated 20.07.2024 is allowed ex-parte.

The Marriage solemnized between the parties namely Smt. Tumpa Majumder and Sri Dinabandhu Das on 10.08.2012, is dissolved by a decree of divorce, with effect from this day.

Note in the relevant register.

D/C

Judge,

ADJ,FTC-I, Raiganj, U/D.

