



06.05.2026.
Court No. 13
Item No. 24.
sp

F.A. No. 308 of 2025

Subhendu Sur
Versus
Jayita Sur nee Mukherjee

Mr. Rabilal Maitra, Id. Sr. Adv.,
Mr. Rjitlal Maitra.

..for the appellant.

Mr. Biswarup Biswas,
Mrs. Atreyee De (Ganguly).

..for the respondent.

1. The appellant/husband and the respondent/wife are personally present in Court.
2. It is submitted that the parties are separated for 15 years.
3. Having regard to the dicta of the Supreme Court on the subject and the decision of Co-ordinate Benches, this Court is of the view that continuation of marriage after 15 years of separation itself amounts to cruelty on both the husband and wife.
4. It appears that the appellant/husband is a retired employee of a foreign bank and the respondent/wife is a graduate and has never chosen to work.
5. Bereft the allegation and counter allegation in respect of the assets of the appellant/husband, this Court is of the view that permanent alimony payable by the appellant/husband to the respondent/wife should be settled at Rs. 30 lakhs (Rupees thirty lakhs only).
6. The said sums shall be paid into the account of the respondent/wife within a month from date.



7. There shall be a decree of divorce between the appellant/husband and the respondent/wife. The decree shall take effect, after the appellant/husband transfers the aforesaid sum of Rs. 30 lakhs into the bank account of the respondent/wife, namely, Jayita Sur nee Mukherjee wherein he has been paying alimony till date.

8. Upon the learned advocate on record for the respondent/wife and the appellant/husband, communicating to the Registrar General of this Court of receipt of the said sum of Rs. 30 lakhs, the decree for divorce as directed hereinabove shall be drawn up expeditiously by the Registry thereafter. Upon payment by the appellant/husband of the said sum of Rs. 30 lakhs to the respondent/wife, the respondent wife shall vacate the flat premises of the appellant being Flat No. D4, Uttarasha Apartment, Solua, Azad Hind Garh, beside Nararun Sangha, Kolkata- 700136 and hand over the keys through her learned advocate on record to the learned advocate on record for the appellant/husband.

9. With the aforesaid observations, FA 308 of 2025 shall stand disposed of.

10. Consequently, all connected pending applications, if any, shall stand disposed of.

11. There shall be no order as to costs.

12. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)



(Rai Chattopadhyay, J.)