

13.06.2025
Court No.1
Item No.**20**
[Milan, A.R. (Ct.)]

CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI

FAT 5 of 2024

Niloy Mazumder @ Nilay Majumder
versus

Popy Mazumder (Ghosh)

With

CAN 1 of 2024

CAN 2 of 2024

CAN 3 of 2024

CAN 4 of 2024

CAN 5 of 2024

Mr. Amales Ray, Sr. Adv.,
Mr. Debarshi Dhar,
Ms. Purna Mitra

....for the Appellant

Mr. Satyari Basu

....for the Respondent

The appeal arises out of the judgment and order dated 12th September, 2023 passed by the learned Additional District Judge, 2nd Court, Siliguri in a matrimonial suit being Mat Suit no.36 of 2008 by which the appellant's suit for dissolution of marriage filed under Section 13 of the Hindu Marriage Act, 1995 was dismissed.

It appears that the appellant is aged about 59 years and is scheduled to retire in the next year.

The appellant is a primary school teacher.

The respondent (wife) is a para-teacher. The couple has been residing separately since 20th July, 2003. The daughter is aged about 22 years and is residing with her mother being respondent. The respondent is aged about 52 years.

We feel that even if the appeal is decided either in favour of the husband or in favour of wife, no fruitful purpose will be served as re-union of the couple is a mere impossibility as appears from the submissions made on their behalf.

We, therefor, think that the advocates should talk to their respective clients and also exchange dialogue inter se, if any workable solution and/or settlement can be arrived at between the parties by securing the future of the daughter and the wife.

Let this matter be placed before the first available Circuit Bench in the month of August, 2025.

(Arindam Mukherjee, J.)

(Partha Sarathi Chatterjee, J.)