

WPA (H) 86 of 2023

Dipen Ghanty @ Md. Mohsin  
Vs.  
The State of West Bengal & Ors.

Mr. Supratick Syamal  
Mr. Rajarshi Mitra  
Ms. Somosreedebi Dutta ... for the petitioner

Mr. Anirban Roy , Ld. G.P.  
Mr. Debabrata Chatterjee, Ld. A.P.P.  
Ms. Amrita Panja Moulick ... for the State

Mr. Apan Saha  
Mr. Aquib Parwery ... for respondent nos. 6 & 9

1. In view of dissolution of marriage as reflected from the muslim marriage register which, however, has been disputed on behalf of the applicant on the ground of said certificate might have been obtained by coercion and that the respondent has been illegally confined by her parents, we are unable to grant any relief to the petitioner in this proceeding as we feel that the said issues were required to be decided by a Civil Court.
2. Unless the said document recording the dissolution of marriage is held to be invalid by reason of fraud or executed under coercion in this proceeding we cannot pass any further order presuming that the respondent was coerced to sign the said document. Moreover, the respondent is alive and traceable.

3. In view of the above, W.P.A. (H) 86 of 2023, is thus, disposed of.
4. Urgent Photostat certified copy of this order, if applied for, be given to the parties, upon completion of requisite formalities.

(Uday Kumar, J.)

(Soumen Sen, J.)