

05.08.2025
SI No.92
Court No.16
(gc)

FA 38 of 2023

Purvasha Ghosh
Vs.
Anupam Ghosh

Mr. Buddhadev Ghosal, Sr. Adv.,
Mr. Udayan Datta

...for the Appellant.

1. In view of the fact that Section 14 of the Hindu Marriage Act, 1955 has not been complied with as it was filed within the period of one year of marriage without having a pleading of exceptional hardship or of exceptional depravity for which the Court may permit filing of such petition before the expiry of one year as stated in Section 14 of the Hindu Marriage Act, we are of the view that the plaint in absence of fulfilling the requirement under Section 14 of the said Act could not have been presented and hence we dismiss the suit on the ground that it was not maintainable.
2. However, this order shall not prevent the appellant to file a fresh suit may be on the self-same ground as we have not gone into the merits of the matter.
3. Accordingly, the appeal is dismissed.
4. However, there shall be no order as to costs.

5. Urgent Photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all necessary formalities.

(Soumen Sen, J.)

(Apurba Sinha Ray, J.)