

Court No. 6
(265719)

24.09.2025
(AD 5)
(S. Banerjee)

CO 3491 of 2025

Mrs. Sneha Sardar
Vs.
Sri Surya Raha

Mr. Sankar Prasad Dalapati
Mr. Safik Dewan
Mr. Sourav Mondal

...for the petitioner

Mr. Pritam Choudhury
Mr. Tamal Taru Panda

...for the opposite party

Affidavit of service filed in Court today, is taken
on record.

This application under Article 227 of the
Constitution of India is at the instance of the wife and
is directed against order no. 14 dated August 13,
2025 passed by the learned Additional District Judge,
Fast Track Court at Baruipur in MAT Suit No. 665 of
2023. By the order impugned the application under
Order 12 Rule 6 of the Civil Procedure Code stood
rejected.

Mr. Dalapati, learned advocate appearing for the
wife/petitioner submits that the marriage between the
parties was not consummated and for such reason
the petitioner filed the suit for declaration that the
marriage is a nullity. He further submits that the

opposite party/husband has filed the written statement admitting the fact that they there has been no consummation of marriage.

Learned advocate appearing for the respective parties uniformly submit that the application under Order 12 Rule 6 of the Civil Procedure Code was heard long time back and the order on such application was passed more than a year after such hearing.

For such reason this court is inclined to set aside the order impugned. The application under Order 12 Rule 6 of the Civil Procedure Code stands restored to the file of the learned Additional District Judge, Fast Track Court at Baruipur.

The learned Additional District Judge, Fast Track Court at Baruipur is requested to reconsider the said application and to decide the same afresh after giving an opportunity of hearing to the respective parties as expeditiously as possible, preferably within a period of six weeks from the next date fixed, without granting any unnecessary adjournment to either of the parties.

With the above observations and directions CO 3491 of 2025 stands disposed of.

(Hiranmay Bhattacharyya, J.)