

IN THE COURT OF JUDGE, FAMILY COURT, BHUBANESWAR.

Present: Shri Pravakar Mishra, OSJS (S.B),  
Judge, Family Court, Bhubaneswar.

Civil Proceeding No. 232 of 2014

(Under Section 13 (B) of Hindu Marriage Act, 1955)

Smt. Manaswini Dehuri, aged about 33 years,  
W/o- Himansu Shekhar Dang,  
Resident of Pragati Nagar, Fist Lane  
At/P.O.-Kumand, P.S./Dist.-Angul-759143  
At present working as Asst. Professor,  
Department of Veterinary Parasitology, College of Veterinary  
Science and Animal Husbandry, O.U.A.T.  
Bhubaneswar-751003  
Present residing at Plot No. 94/1919, Udayagiri Vihar,  
Patrapada, Bhubaneswar-751019

..... Petitioner No. 1

AND

Himansu Shekhar Dang, aged about 33 years,  
S/o- Ananta Prasad Dang,  
Resident of Pragati Nagar, Fist Lane  
At/P.O.-Kumand, P.S./Dist.-Angul-759143  
Working as Senior Manager, Technical Vicom Security Pvt. Ltd.  
8, Justice KM Yusuf Sarai (Formerly Back Bagan Row)  
Second Floor, Kalkata-700017  
At present:-C/o- Sukhendu Kumar Ghosh,  
Ground Floor, Nabaliapara, Plot No. 72/5/2  
P.O.-Barisha, Kalkata-8(WB)

..... Petitioner No. 2

Date of argument : 16.01.2015

Date of judgment : 16.01.2015

J U D G M E N T

The petitioners have filed this application Under Section 13(B) of the Hindu Marriage Act, 1955 for divorce by mutual consent.

2. The facts of the case of the petitioners are that their marriage was solemnized as per Hindu customs and tradition on 26.01.2010 and they have no issue out of their wedlock. Due to differences arose between them which could not be resolved they started living separately since 14.02.2012. The petition was presented before this Court on 23.06.2014. Therefore, they have been living separately more than two years. The petition was filed more than six months back i.e. on 23.06.2014. It is further averred that both the parties have exchanged their gold ornaments, gifts and other articles along with household articles given at the time of marriage. It is further averred that several attempts have been made by the family members, friends and well wishers for their reunion but in vain. According to them, their consent has not been obtained by exercising fear, force, fraud, coercion or undue influence.

3. Both the petitioners were examined on oath as P.Ws. 1 and 2 respectively. They have stated unanimously that their marriage was solemnized on 26.01.2010 according to Hindu rites. Due to indelible temperament, and mental incompatibility and difference of opinion they have been living separately since 14.02.2012. Although their friends and relatives tried their best to reunite them yet reconciliation was not possible. A chance of reunion was remote and having no other alternative both of them decided to dissolve the marriage by mutual consent.

4. Petitioner No. 1 stated that she has no claim of any alimony for past, present and future for herself. In view of above admission by the petitioner No. 1, she is not entitled to get any further alimony from petitioner No.2. The petition has been filed more than six months back i.e. on 23.06.2014. Both of them stated on oath that they have been living separately since 14.02.2012 and they are not able to live together and they have mutually agreed that their marriage should be dissolved. The Court should not stand as a bar to their future life. The petition of the petitioners succeeds. Hence, it is ordered;

O R D E R

The petition for divorce by mutual consent is allowed. The decree of divorce by mutual consent is hereby passed and the marriage between petitioner No. 1 and petitioner No. 2 is declared dissolved with effect from the date of decree.

JUDGE, FAMILY COURT,  
BHUBANESWAR.

Dictated, corrected by me and is pronounced on this the 16<sup>th</sup> day of January, 2015.

JUDGE, FAMILY COURT,  
BHUBANESWAR.

Witnesses examined for the petitioners:

P.W.1 Smt. Manaswini Dehuri

P.W.2 Himansu Shekhar Dang

List of documents admitted by petitioners:

Nil

JUDGE, FAMILY COURT,  
BHUBANESWAR.