

IN THE COURT OF THE JUDGE, FAMILY COURT,  
BHUBANESWAR.

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

Civil Proceeding No. 220 of 2011

Smt. Preeti Sahoo, aged about 30 years,  
W/o- Sri Manoranjan Sahoo,  
D/o-Chandrasekhar Sahoo,  
At present residing at VIM-157,  
Sailashree Vihar,  
P.S.-Chandrasekharpur, Bhubaneswar,  
Dist-Khurda.

... Petitioner

... Versus...

Sri Manoranjan Sahoo, aged about 33 years,  
S/o-Sri Ananda Chandra Sahoo,  
At EB-475, Baragada Brit Colony,  
P.S.-Badagada, Bhubaneswar,  
Dist-Khurda.

... Respondent

Date of argument: 02.09.2014

Date of order : 16.09.2014

ORDER

This order arises out of a petition u/s. 13 (i-a) of the Hindu Marriage Act, 1955 (in short, the Act 1955) praying for a decree of dissolution of marriage of the petitioner with the respondent on the ground of cruelty.

2. The facts of the case of the petitioner are that:-

The marriage of the petitioner with respondent was solemnized as per Hindu Custom and rites on 29.06.2009. She has averred that at the time of marriage, her father had given dowry articles, cash, gold ornaments to the respondent as per demand. The der-Tag started in their life when the respondent and his family members demanded additional dowry of Rs.

1,00,000/- and non-fulfillment thereof subjected to the petitioner with physical and mental torture. She has further stated that after two days of marriage the eldest sister-in-law Ani and youngest sister-in-law Tuni made her naked and compelled her to drink cow dung water for purification of the body. She has further stated that her mother-in-law and both the sister-in-laws tried to finish her by pressing her neck and also tortured her in various ways. When she informed about the torture meted on her by her in-laws to her father, payment was stopped by informing to the Bank for which they became furious and assaulted her for the same. She has further stated that they also did not give sufficient food to her for which she remained in an empty stomach. It is further contended that when the respondent and his family members planned to kill her, she informed the said fact to her father and her father with the help of police rescued her on 18.07.2009 and saved her life. She has further averred that there was a compromise between them but the respondent did not want to lead marital life for which the compromise failed. She has further averred that several attempts have been made by her parents and brother but the respondent and his family members did not cooperate. She has further stated that the respondent consistently tortured her both physically and mentally for more dowry and when it is not fulfilled tried her to kill. Hence the petition for divorce.

3. The respondent did not enter contest the proceeding and therefore, is set ex-parte.
4. The question that requires to be adjudicated is whether, there exists any cruelty on the part of the respondent to allow the petition for divorce?
5. The petitioner in order to prove her case she, herself, has been examined P.W. 1.
6. P.W. 1 has supported the averments made in the petition. From her unchallenged evidence, it is clear that the petitioner was maltreated when she refused to meet the additional demand of the respondent and his family members. The petitioner sought divorce on the ground of cruelty. Demanding more dowry and when the petitioner protested it the respondent and his family members tortured her both physically and mentally spell cruel conduct

of the respondent towards the petitioner. The petitioner has further stated that after two days of marriage, the elder and younger sister-in-laws of the respondent made her naked and compelled her to drink cow dung water and mother-in-law and both the sister-in-law also by pressing her neck tried to kill her and also did not give food to her and also planned to kill her and with the help of police her father rescued her on 18.07.2009. The evidence of the petitioner remains unchallenged. Therefore, the petitioner could successfully establish the ground of cruelty which is also one of the ingredients u/s. 13 (i-a) of the Act for granting a decree of divorce. Hence, it is ordered;

ORDER

The petition is allowed ex-parte in favour of the petitioner. A decree of divorce is passed and the marriage between the petitioner and the respondent is hereby 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 September, 2014.

JUDGE, FAMILY COURT,  
BHUBANESWAR.

Witnesses examined for the petitioner:

P.W.1 Smt. Preeti Sahoo

Witnesses examined for the respondent:

None

List of documents by petitioner:

Nil

List of documents by respondent:

Nil

JUDGE, FAMILY COURT,  
BHUBANESWAR.