

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

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

Civil Proceeding No. 49 of 2013

Satyabadi Radhamohan Biswal, aged about 34 years,
S/o-Late Sarbeswar Biswal,
Nistariniapur, P.O.-Itipur, P.S.-Lingaraj,
Bhubaneswar, Dist.-Khurda.

... Petitioner

... Versus...

Sandeepa Pandey, aged about 25 years,
W/o- Satyabadi Radhamohan Biswal,
D/o-Late Prahallad Pandey,
Qr. No.EB-334, Stage-II,
Brit Colony, Laxmisagar, Bhubaneswar,
Dist.Khurda.

... Respondent

Date of argument : 02.09.2014

Date of order : 16.09.2014

ORDER

The petitioner sought divorce against the respondent U/s-27(1) (b) of the Special Marriage Act, 1954 (in short, the Act 1954) on the ground of desertion of the respondent.

2. The facts of the case of the petitioner are as follows:-

The petitioner married the respondent on 18.01.2011 before the Marriage Officer, Puri vide Marriage Certificate No.7/2011. The

marriage was consummated in the house of the petitioner. After marriage, the respondent could not adjust herself in her matrimonial home. She started maltreating the petitioner and his family members. On 28.9.2011, when the petitioner returned home from his office found the respondent absent in the house and over phone the petitioner came to know that the respondent was in her parental home. On 29.1.2011 the petitioner went to the parental home of the respondent to bring back her but his in-laws assured him that the respondent would return to him after a month. The respondent did not return to him after the stipulated period. The petitioner again went to his father-in-law's house to bring her back but this time he was threatened by the brothers of the respondent even was assaulted and was told to forget the respondent. Hence, this petition for divorce.

3. The respondent was set ex parte.
4. The petitioner in order to prove his case he, himself, has been examined as P.W.1. He has supported the allegations made in the petition. Therefore, from his unchallenged testimony it is clear that the petitioner married the respondent on 18.9.2011 before marriage officer, Puri and the marriage was consummated in the house of the petitioner and the respondent has withdrawn her company from the petitioner since 28.9.2011 with a clear intention not to reunite with the petitioner. The present petition for divorce was presented in the

court on 2.2.2013 i.e., two years after expiry of the statutory period of desertion and therefore, the petitioner is entitled for a decree of divorce. Hence, ordered:

O R D E R

The petition of the petitioner is allowed ex-parte without cost. A decree of divorce is passed and the marriage certificate bearing No. 7/2011 is hereby cancelled 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 16th day of September, 2014.

JUDGE, FAMILY COURT,
BHUBANESWAR.

Witnesses examined for the petitioner:

P.W.1 Satyabadi Radhamohan Biswal

Witnesses examined for the respondent:

None

List of documents by petitioner:

Nil

List of documents by respondent:

Nil

JUDGE, FAMILY COURT,
BHUBANESWAR.