

IN THE COURT OF JUDGE, FAMILY COURT, BHUBANESWAR.

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

Civil Proceeding No. 595 of 2013

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

Sri Sauraraj Nath, aged about 32 years,  
S/oSaubhagya Chandra Nath,  
M-24, HB Colony, Dhenkanal-759001,  
Odisha.

At present-G-4, Flat-A, Surya Flat, Near Sun Residency, Ananda  
Mahal Road, Adajan Surat-395009, Office Address  
ICICI Bank Ltd., Ghod Ded Road Branch, Suryakiran Apartment,  
Ghod Dod Road, Surat,  
Bhubaneswar Address:- C/o-Mr. Prasanta Kumar Nath,  
Plot No. 981, Dr. Nath Villa, Samantrapur,  
P.S.-Lingaraj, Bhubaneswar  
Dist-Khurda.

..... Petitioner No. 1

AND

Smt. Liza Rayaguru, aged about 31 years,  
D/o-Sri Badri Prasad Rayaguru,  
Plot No. 102, Budheswari Colony,  
Bhubaneswar  
At present-H.No. 94-84/107, near MCH Park,  
Nanal Nagar,  
Kakatiyanagar, Hyderabad-500008,  
Office Address- Central Operation Domestic Department,  
ICICI Bank Ltd., ICICI Bank Tower,  
Plot No. 12, Gachibowli, Hyderabad-500032.

..... Petitioner No. 2

Date of argument : .2014

Date of judgment: 06.12.2014

## 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 case of the petitioners in brief is that their marriage was solemnized as per Hindu customs and tradition in Brajabandhu Mandap, Vivekananda Marg under Lingaraj Police Station, Bhubaneswar on 01.06.2010. Due to differences arose between them which could not be resolved and as such they have been living separately 09.05.2011. Therefore, they have been living separately more than three years. The petition was filed more than eleven months back i.e. on 25.11.2013. It is further averred that several attempts have been made by the family members, friends and well wishers for their reunion but in vain. It is further averred that both the parties have received their gifts and other articles given at the time of marriage. 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 01.06.2010 according to Hindu rites. Due to indelible temperament, and mental incompatibility and difference of opinion they have been living separately since 09.05.2011. Although their friends and relatives tried their best to reunite them, 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. 2 stated that she has no claim of any alimony for past, present and future for herself from the petitioner No. 1. 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 eleven months back i.e. on 25.11.2013. Both of them stated on oath that they have been living separately since 09.05.2011 and they

have not been able to live together and they have mutually agreed that their marriage should be dissolved. The Court should not stand 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 6<sup>th</sup> day of December, 2014.

JUDGE, FAMILY COURT,  
BHUBANESWAR.

Witnesses examined for the petitioners:

P.W.1        Sri Sauraraj Nath  
P.W.2        Smt. Liza Rayaguru

List of documents admitted by petitioners:

Nil

JUDGE, FAMILY COURT,  
BHUBANESWAR.