

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

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

Civil Proceeding No. 364 of 2013  
(Under Section 13 (B) of Hindu Marriage Act, 1955)

1. Alok Ranjan Subudhi, aged about 35 years,  
S/o- Madhab Chandra Subudhi,  
Residing of LB-138, Baramunda H.B. Colony,  
Baramunda, Bhubaneswar,  
P.S.-Khandagiri, Dist-Khurda.  
..... Petitioner No. 1
2. Geetanjali Sahoo, aged about 30 years,  
W/o- Alok Ranjan Subudhi,  
D/o- Ananta Kishore Sahoo,  
Resident of L-88, Dumuduma HB Colony, Phase-I,  
Bhubaneswar, P.S.-Khandagiri,  
Dist-Khurda.  
... Petitioner No. 2

Date of argument : 09.07.2014

Date of judgment : 09.07.2014

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 rites and customs at Hotel Crystal, Baramunda, H.B. Colony, Bhubaneswar on 27.02.2009 in presence of well wishers and friends of both the petitioners and consummated at the residence of petitioner No. 1 and two months thereafter both had gone to Bangalore i.e. the working place of petitioner No.1 petitioner No. 1. On 12.05.2009

both the petitioners had applied for register marriage before the Registrar and Deputy Commission of Bhubaneswar, Municipal Corporation, Dist-Khurda and obtained marriage certificate vide Ext. 1654/2009. After six months of marriage due to indelible temperaments, thoughts and mental incompatibility, they are residing separately since 03.07.2012. 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 it is mutually agreed between both the petitioners that the petitioner No. 2 has already received Rs. 5,00,000/- (Rupees Five Lakhs) only in shape of cheque bearing No. 371751 dated 20.07.2013 drawn SBI, Priyadarsini Market Branch, CRPF Square, Bhubaneswar and the amount of Rs. 5,00,000/- (Rupees Five Lakhs) only shall be paid after one month from the date of filing. Both the petitioners themselves decided that detachment of their matrimonial relationship would be better for them. In order to lead a happy life for the remaining part of their life, both decided for a mutual divorce. It is further averred that there shall have no claim of maintenance against each other.

3. Both the petitioners were examined in oath as P.Ws. 1 and 2 respectively. They have stated unanimously that their marriage was solemnized 27.02.2009 according to Hindu rites and customs and thereafter both of them applied for registration of marriage in the office of Deputy Commissioner of Bhubaneswar, Municipality Corporation, Dist-Khurda and obtained marriage certificate on 13.05.2009 vide certificate No. 1654/2009. After marriage petitioners used to live as husband and wife for a period of six months. Due to indifferent temperament, and mental incompatibility and difference opinion they are living separately since 03.07.2012. 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-wife in her evidence has stated that she has already received vide cheques bearing No. 371751 on 28.08.2013 of Rs. 5,00,000/-, 371754 of Rs. 3,00,000/- and 371762 of Rs. 2,00,000/- total amounting to Rs. 10,00,000/- towards her permanent alimony and she has no claim of maintenance against P.W. 1. The petition was filed on 20.07.2013. The petitioners are in the prime period of their youth. Both of them stated on oath that they have been living separately since 03.07.2012 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. A decree of divorce is passed and the Marriage Certificate bearing No. 1654/09 is cancelled and the marriage between the petitioner No. 1 and petitioner No. 2 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 9<sup>th</sup> day of July, 2014.

JUDGE, FAMILY COURT,  
BHUBANESWAR.

Witnesses examined for the petitioners:

P.W.1           Alok Ranjan Subudhi.

P.W.2           Geetanjali Sahoo.

List of documents admitted by petitioners:

Ext. 1           Marriage Certificate bearing No. 1654/09.

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BHUBANESWAR.

