

IN THE COURT OF JUDGE, FAMILY COURT, BHUBANESWAR.

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

Civil Proceeding No. 588 of 2013
(Under Section 13 (B) of Hindu Marriage Act, 1955)

1. Mihir Ranjan Mohapatra, aged about 35 years,
S/o- Late Niranjana Mahali,
Residing at Plot No. 339/3105- Sashir Vihar,
P.O.-KIIT Campus, P.S.-Infocity,
Bhubaneswar-24, Dist-Khurda.
..... Petitioner No. 1
2. Subhadrasini Behera, aged about 25 years,
W/o- Mihir Ranjan Mohapatra,
D/o- Jogendra Behera,
Residing at Plot No. 412/2342,
New Malgodown Road, Gandarpur, Lenka Gali,
P.O.- College Square, P.S.- Chauliaganj,
Dist-Cuttack.
... 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 Police Kalyani Mandap, Chauliaganj, Cuttack on 13.10.2012 in presence of well wishers and friends of both the petitioners and consummated at Bhubaneswar. After one month of marriage due to indelible temperaments, thoughts and

mental incompatibility, they are residing separately since 15.11.2012. It is further averred that several attempts have been made by the family members, friends and well wishers for their reunion but in vain. 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 13.10.2012 according to Hindu rites and customs. After marriage petitioners used to live as husband and wife for a period of one month. Due to indifferent temperament, and mental incompatibility and difference opinion they are living separately since 15.11.2012. 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 no claim of maintenance against P.W. 1. The petition was filed on 20.11.2013. The petitioners are in the prime period of their youth. Both of them stated on oath that they have been living separately since 15.11.2012 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;

ORDER

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 9th day of July, 2014.

JUDGE, FAMILY COURT,
BHUBANESWAR.

Witnesses examined for the petitioners:

P.W.1 Mihir Ranjan Mohapatra.

P.W.2 Subhadrasini Behera.

List of documents admitted by petitioners:

Nil.

JUDGE, FAMILY COURT,
BHUBANESWAR.