

IN THE COURT OF JUDGE, FAMILY COURT, BHUBANESWAR.

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

Civil Proceeding No. 337 of 2013
(Under Section 13 (B) of Hindu Marriage Act, 1955)

Siddharth Vedi, aged about 33 years,
S/o- Naresh Chander Vedi,
Resident of Budharaja, Sambalpur Town,
P.O./Dist-Sambalpur, (Odisha)
At present residing at C-32, Ananta Vihar,
Pokhariput, P.S.-Airfield, Bhubaneswar,
Dist-Khurda.

..... Petitioner No. 1

Shilpi Vedi, aged about 30 years,
D/o-Daljit Singh Hora,
Resident of Budharaja, Sambalpur Town,
P.O./Dist-Sambalpur (Odisha)
Presently residing at Magar Patta City,
Hadapsar, Pune-411028, Maharashtra.

... Petitioner No. 2

Date of argument : 21.07.2014

Date of judgment : 21.07.2014

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 Crown, Bhubaneswar on 27.06.2007 and consummated their marriage at Sambalpur. After some days of marriage they went to Pune and resided there till April 2012. Thereafter, due to indelible temperaments, thoughts

and mental incompatibility, they are residing separately from April 2012. They have no issue out of their wedlock. 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 there was a settlement between the parties and as per the settlement petitioner No. 1 has to pay Rs. 25,00,000/- (Rupees twenty five lakhs) only to petitioner No.2 towards her permanent alimony. 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 27.06.2007 according to Hindu rites and customs. After marriage petitioners used to live as husband and wife for more than five year. Due to indifferent temperament, and mental incompatibility and difference opinion they are living separately from April, 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. According to them, their consent has not been obtained by fraud, coercion or undue influence.

4. Petitioner No. 2-wife in her evidence has stated that she has already received Rs. 25,00,000/- (Rupees twenty five lakhs) only vide D.D. No. 897252 dated 21.07.2014 amounting Rs. 18,00,000/- and D.D. No. 897253 dated 21.07.2014 amounting Rs. 7,00,000/- towards her permanent alimony for past, present and future. In view of the above admission of the petitioner No.2, she is not entitled to get any further maintenance from petitioner No. 1. The petition was filed on 08.07.2013. The petitioners are in the prime period of their youth. Both of them stated on oath that they have been living separately since April, 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. 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 21st day of July, 2014.

JUDGE, FAMILY COURT,
BHUBANESWAR.

Witnesses examined for the petitioners:

P.W.1 Siddharth Vedi

P.W.2 Shilpi Vedi

List of documents admitted by petitioners:

Nil

JUDGE, FAMILY COURT,
BHUBANESWAR.