

**In the Court of Ms. Dipti Goyal,
Additional Civil Judge (Senior Division),
Jalalabad(West).**

**(Exercising the powers of District Judge under the Hindu
Marriage Act, 1955)**

Petition No. 01-3/2018
Date of Instt : 08.01.2018.
CIS No.DMC/01/2018.
Decided on : 13.07.2018.

Shilpa Rani wife of Sarabjeet Singh @ Sunny son of Gurcharan Singh(D/o Sh. Vasudev Bedi) now resident of Dashmesh Nagar, Near Bharat Model School, Jalalabad(W), Tehsil Jalalalbad, District Fazilka.

.....Petitioner No.1.

AND

Sarabjeet Singh @ Sunny son of Gurcharan Singh r/o House No. 4, Shaheed Bhagat Singh Colony, Maksuda Chownk, Jalandhar, Tehsil and District Jalandhar.

....Petitioner No.2.

**Petition under Section 13-B of the
Hindu Marriage Act, 1955 for
dissolution of marriage of the parties
by a decree of divorce by mutual
consent.**

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Dipti Goyal, PCS
Addl. Civil Judge, (Sr. Divn.)
Jalalabad (West)

Present : Petitioners with counsel Sh. N.K.Middha Advocate.

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Judgment

1. The petitioners Nos.1 and 2 filed present petition seeking dissolution of their marriage under Section 13-B of Hindu Marriage Act by way of mutual consent.

2. The facts, in brief, are that marriage between petitioner No.1 and petitioner No.2 was solemnized on 07.02.2011 at Jalalabad according to the Hindu rites and rituals. The parties' status before marriage was that of unmarried ones. After the marriage, both the parties cohabited together. Out of this wedlock, one female child namely Prabhjot was born. After some time of the marriage, the relations of the parties become strained due to differences of their opinions. Both the parties are living separate from each other since March 2013 and are unable to live together as husband and wife due to their differences of opinions and strained relations. The parties have mutually agreed to dissolve their marriage by a decree of divorce by mutual consent, with their free will and without any undue pressure,

coercion and influence.

It has been further averred that both the parties have already settled the claim of dowry articles, Istridhan and permanent alimony as well as future maintenance. Minor daughter Prabhjot will reside with petitioner No.1 Shilpa Rani and petitioner No. 2 shall not be entitled to claim any dowry article, istridhan or future maintenance. Hence, the present petition.

3. Upon presentation of the petition, statements of petitioner No.1 and petitioner No.2 were recorded, whereby they reiterated their stand taken in the petition and categorically deposed to the effect that all the efforts for reconciliation have failed. So their marriage is liable to be dissolved by way of mutual divorce.

4. From the averments made in the petition and statements of parties recorded in the Court, it is made out that the parties are Hindus by religion and their marriage was performed 07.02.2011. They are living separately from each other and are not able to reconcile their marital relationship and thereby they have mutually agreed that their marriage be dissolved by a decree of divorce by mutual consent.

Parties were granted time so that they can still have a second thought to save their matrimonial home and a period of six months was granted to them.

5. Petitioners appeared again and got their statements. Petitioner No. 1 in her statement stated that she has already received Rs. 1,50,000/- at the time of first statement given in the court and she has received the remaining amount of Rs. 1,50,000/- from the petitioner no. 2 as per settlement today in the court. So from the statements of parties it implies that they have failed to reconcile with one another during the period of last six months.

6. I have considered the contentions of both the parties and have gone through the statements given by both the petitioners on record. I find that both the petitioners are residing separately from the last one year and they have not been able to live together. They could not reconcile with one another and further there is no legal bar to dissolve the petitioners' marriage by a decree of divorce by mutual consent. As such, they have mutually agreed to dissolve their marriage. Accordingly, marriage of petitioner No.1 Shilpa Rani with petitioner

No.2 Sarabjit Singh @ Sunny is hereby dissolved. Petition stands decreed for mutual divorce with no order as to costs. Decree be drawn accordingly. File be consigned to the Judicial Record Room, Jalalabad(W), after due compliance.

Pronounced in open Court

Dt: 13.07.2018

(SUM)

Sd/-

(Dipti Goyal)

Additional Civil Judge (Senior Division),

Jalalabad(W).

(UID No. PB00300)

Dipti Goyal, PCS
Addl. Civil Judge, (Sr. Divn.)
Jalalabad (West)