

**IN THE COURT OF THE ADDL. SENIOR CIVIL JUDGE (FAST TRACK COURT),
NIZAMABAD AT ARMOOR**

Present: Smt B. Pushpalatha,
Senior Civil Judge, Nizamabad
FAC:-Addl. Senior Civil Judge, (FTC),
Nizamabad at Armoor

Dated this the 7th day of June, 2019

O.P.No.1 of 2019

Bommana Prashanth, S/o: Rajeshwar, Aged about 35 years, Caste: Kammari,
Occu: Private Teacher, R/o: H.No.3-35, Vannel-B Village of Balkonda Mandal,
Nizamabad District

...Petitioner

And

Bommana Sadguna, W/o: Prashanth, D/o: Late Thaduri Gangadhar, Aged about
35 years, Caste: Avusali, Occu: Computer Operator in M.E.O. Office, at Balkonda
(Contract basis), R/o: Mupkal Village and Mandal, Nizamabad District

...Respondent

This petition is coming before me today for final hearing in the presence
of Sri Bethu Jagadish, Advocate for petitioner and the respondent remained
exparte and having stood over for consideration till this day, the Court has
delivers the following:-

:: O R D E R ::

1. This petition is filed by both the petitioners under Section 13 (i) (ia) of
the Hindu Marriage Act, 1955 seeking dissolution of his marriage with the
respondent by a decree of divorce on the ground of cruelty and desertion.
2. The averments of the affidavit in support of the petition in brief are as
follows:-

The marriage of the petitioner with the respondent was solemnized on
15-11-2012 at Raja Rajeshwara Temple, Vemulawada according to Hindu rites
and customs. They lived happily for 18 months only at Balkonda, out of their
wedlock they blessed with one daughter on 20-03-2014 namely Vaishnavi.
Thereafter, differences arose between them due to behavior of respondent with
the petitioner. After the birth of their daughter the respondent changed her
attitude towards the petitioner and started harassing the petitioner mentally and

she is a psycho and mentally suspected person. She neglected the petitioner to look after his welfare and she did not attend any domestic work as such the petitioner used to do the domestic work regularly. The respondent refused to cook food and did not serve the food to petitioner. The respondent did not allow the petitioner into her room and she refused to lead sexual life with the petitioner. The petitioner used to do washing clothes of the respondent and clean the cooking utensils regularly and used to clean the house and used to preparing the food daily. The respondent used to abuse the petitioner in most filthy language and tortured the petitioner physically and mentally by throwing the things at the petitioner and humiliate him in front of his relatives, neighbors and friends. The respondent used to make galata daily with the petitioner when he was talking with ladies and suspected him unnecessarily even on a small issue in the house immediately she went out from the house and shouted loudly and used to abuse the petitioner in filthy language and insulted him before the neighbors, she is a adamant lady, not caring the petitioner. The respondent used to find faults with the petitioner. On 25-12-2014, the respondent left the company of the petitioner and stayed at her parents house at Mupkal Village along with her daughter. The petitioner, his parents and caste elders tried to convince the respondent to lead matrimonial life with the petitioner but she deserted the petitioner continuously without any reason and she bluntly refused to join the company of the petitioner that she has no interest to live with petitioner. The respondent willfully deserting the petitioner and used to avoid the matrimonial life with the petitioner and there is no chance to their reunion. Hence the petition.

3. The respondent remained exparte.
4. Heard the counsel for the petitioner.
5. The point for determination is:-

Whether the petitioner is entitled for dissolution of his marriage with the respondent, which was solemnized on 15-11-2012 on the ground of cruelty and desertion ?

6. **POINT:-** In order to prove his case, the petitioner got filed his chief evidence affidavits as Pw.1 and exhibited Exs.P1 and P2. Ex.P1 is the original wedding invitation dated 15-11-2012 and Ex.P2 is the marriage photograph of petitioner and respondent.

7. The Pw.1 deposed in his chief evidence affidavits as he averred in his petition. The unchallenged testimony of Pw.1 coupled with Exs.P1 and P2 proved that the marriage took place with the respondent. The evidence of Pw.1 established that the respondent harassed the petitioner mentally and tortured him physically and mentally and she used to insult the petitioner before the neighbors, relatives and friends and she refused to lead marital life with him and subjected the petitioner cruelty and there is no chance for their reunion to lead the happy marital life. The evidence of Pw.1 is consistent, cogent and trustworthy. Nothing is found to disbelieve or distrust the evidence of Pw.1 and to discredit his evidence. In the circumstances, it is found that the petitioner has proved his case and he is entitled for divorce as prayed for. The point is accordingly answered.

8. **In the result,** this petition is allowed, dissolving the marriage between the petitioner and respondent, dated 15-11-2012, by granting a decree of divorce.

Typed to my dictation, corrected and pronounced by me in open Court, on this the 7th day of June, 2019.

Senior Civil Judge,
Nizamabad

APPENDIX OF EVIDENCE
WITNESSES EXAMINED

FOR PETITIONER

PW1: Bommana Prashanth

FOR RESPONDENT

--Nil--

EXHIBITS MARKED
(On behalf of the)

FOR PETITIONER

FOR RESPONDENT

Ex.P1 is the original wedding invitation dated 15-11-2012
Ex.P2 is the marriage photograph of petitioner and respondent.

Senior Civil Judge,
Nizamabad