

Assam Schedule VIII. Form No. 143
High Court Form No. (J) 13

ORDER-SHEET FOR CIVIL COURT

DISTRICT : SONITPUR

IN THE COURT OF THE DISTRICT JUDGE, SONITPUR, TEZPUR

T.S. (M) Case No. 30 of 2021

Sri Ananta Gohain

Vs

Smti Noni Devi

Serial No. of Orders	Date	Order	Signature
	<u>11-11-2021</u>	<p>This is an application u/s 13(B) of Hindu Marriage Act, 1955 for dissolution of marriage by decree of divorce by mutual consent.</p> <p>In the petition, it is specifically pleaded that the marriage between the Petitioner No. 1 Sri Ananta Gohain and Petitioner No. 2 Smti Noni Devi was solemnized on 02-03-2001 according to Hindu Rites and Customs and they were living as husband & wife at the residence of petitioner No. 1 at Vill- Dhanua Nagar, P.O. & P.S.- Tezpur, District- Sonitpur, Assam and out of their wedlock one female child was born on 23-11-2003 named Plabona Gohain. Pleading reveals that after their marriage disputes started to grow because of incorrigible and irreconcilable temperament, attitude, different ideas, habits, tastes and thoughts of both sides. Since 12 (twelve) years both parties living separately and accordingly, there is no marital tie/relationship between the parties anymore. Despite mediations by close relatives and well wishers it has become impossible for the petitioners to live together as husband and wife anymore as their relation reached the point of no return.</p> <p>It is further pleaded that now both the petitioners out of their own free will/accord broke the marital</p>	

relationship and both intend to withdraw themselves from their company and since 12 (twelve) years both the petitioners are living separately at their own residences. There is absolutely no chance for reconciliation, re-union or co-habitation for which they mutually agreed that the marriage should be dissolved. There is no force, threat or coercion on the part of either side in coming to such mutual agreement. It is stated that the petitioner No. 2 has no claim from the petitioner No. 1 in the form of permanent alimony or monetary relief whatsoever and petitioner No. 1 had already been given all the stridhan of petitioner No. 2 on 09-06-2010. It is also mutually agreed between the parties that the daughter namely Plabona Gohain will live under the care and custody of petitioner No. 2.

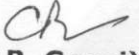
Both parties being personally present in Court and filed joint application stating the same fact as has been pleaded in the petition thereby corroborating their joint wish/desires.

Therefore, this Court is fully convinced that petitioners have voluntarily agreed to dissolve their marriage by mutual consent and there is no need to further waste time at the peril of the petitioners.

Accordingly, having been fully satisfied in all respect, the decree of divorce by mutual consent as sought by the parties is hereby granted and the daughter namely Plabona Gohain will live under the care and custody of petitioner No. 2 Smti Noni Devi.

Prepare the decree accordingly.

The case is accordingly disposed off.


(C.B. Gogoi)
District Judge
Sonitpur, Tezpur