

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. 124 of 2022**

**Md. Safik Ahmed**

**Vs**

**Shaba Safi Ahmed**

Serial No. of Orders	Date	Order	Signature
	<b><u>13-09-2022</u></b>	<p>This is an application u/s 28 of Special Marriage Act, 1955 for dissolution of marriage by decree of divorce on mutual consent.</p> <p>In the petition, it is specifically pleaded that the marriage between the Petitioner No. 1 <b>Md. Safik Ahmed</b> and Petitioner No. 2 <b>Shaba Safi Ahmed</b> was solemnized in accordance with the Muslim Customary Rights and Ceremonies on 23-12-2012 and subsequently, their marriage was registered on <b>17-11-2018</b> according to Special Marriage Act and to this effect, Marriage Certificate No. 925 dated 17-11-2018. Out of their wedlock, they were blessed with a female child namely, Saiyyara Qatrun Ahmed who is 9 years old. Pleading reveals that after their marriage they started to live together as husband and wife but disputes started to grow because of incorrigible and irreconcilable temperament, attitude, different ideas, habits, tastes and thoughts of both sides and accordingly, in the month of <b>February, 2021</b> petitioner No.2 left matrimonial house and since then, 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</p>	

	<p>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 relationship and both intend to withdraw themselves from their company and since the month of February, 2021 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.</p> <p>It is also mutually agreed between the parties that petitioner No. 1 will pay ₹20,000/- (Rupees Twenty Thousand) only per month through Google Pay or through bank account to the petitioner No.2 to meet the day to day expenses of herself and their daughter. In addition to that, the petitioner No.1 will pay the school fees of their daughter. The petitioner No. 1 shall have the right to visit his daughter at the convenience of the daughter. It is also agreed that when the petitioner No. 2 able to get a job for her own or have any source of income, the maintenance amount will be deducted to ₹10,000/- (Rupees Ten Thousand) only per month.</p> <p>Subsequently, both parties being personally present in Court and filed separate evidence-on-affidavits stating the same fact as has been pleaded in the petition thereby corroborating their joint wish/desires.</p> <p>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.</p>	
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**ORDER**

Accordingly, having been fully satisfied in all respect, the decree of divorce by mutual consent as sought by the parties is hereby granted and petitioner No. 1 **Md. Safik Ahmed** shall pay ₹20,000/- (Rupees Twenty Thousand) only per month to petitioner No. 2 **Shaba Safi Ahmed** as monthly maintenance and petitioner No.1 shall also bear the school fees of his daughter namely, Saiyyara Qatrun Ahmed. Moreover, petitioner No. 1 shall have the right to visit his daughter at the convenience of both parties. In the event of getting a job or any source of income by petitioner No. 2, the monthly maintenance will be reduced to ₹10,000/- (Rupees Ten Thousand) per month from ₹20,000/- per month.

In the result, the Marriage Certificate No. 925 dated 17-11-2018, issued by Marriage Officer, Sonitpur, Assam stands cancelled as of having no effect from today.

In view of the above, the Marriage Officer, Sonitpur, Tezpur is directed to cancel the Marriage Certificate No. 925 dated 17-11-2018 forthwith.

Let a copy of this order be sent to Marriage Officer, Sonitpur, Tezpur.

Prepare the decree accordingly.

The case is accordingly disposed of.

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