

Assam Schedule VII, Form No. 143
High Court Criminal Form No. (M) 106
High Court Form No. (J) 13.
Form of Order sheet.

DISTRICT : SONITPUR
COURT OF **DISTRICT JUDGE, SONITPUR AT TEZPUR**
TS(M) Case No. 02 of 2022.

**Sri Deep Kumar Bania, petitioner No.1 and Smti Pooja Pradhan,
petitioner No.2**

| Sl. No. of Order | Date | <u>order</u> | Signature |
|------------------------|------------------------|---|-----------|
| | <u>12-09-22</u> | <p>This is an application filed by both petitioner No.1 and 2 Deep Kumar Bania and Pooja Pradhan respectively, praying for a decree of divorce by mutual consent u/s 28 of Special Marriage Act, 1955.</p> <p>As averred in the petition, the marriage between petitioner No. 1 and 2 Deep Kumar Bania and Pooja Pradhan respectively was registered under Section 13 of Special Marriage Act, 1954 on 18-09-2018 vide Marriage Certificate No. 730 dated 18-09-2018 at the Office of the District Marriage Officer, Sonitpur at Tezpur, Assam and they started living together as husband and wife at village Oubari pathar, PO & PS Thelamara, Dist. Sonitpur, Assam there this is no issue out of their wedlock.</p> <p>However, their marriage does not last long because of certain differences between them and gradually their relation reached such a stage that conjugal life become unbearable for them and finally both the petitioners started to live separately since the month of November, 2019. It is stated that the petitioner No. 1 has been living at her parental house at Tenga Velly, PS Rupa, Dist. West Kameng, Arunachal Pradesh for about three years. It is also contended that the marriage has been irretrievably broken</p> | |

down and there is no likelihood of any reconciliation between them in future. Consequently, both decided to move the present application seeking decree of divorce by mutual consent.

The above stated facts have also been reiterated in their evidence-on-affidavit as well.

Having taken into consideration the fact that the marriage between the parties reached the point of no return and it will amount to cruelty to both sides if they are allowed to continue their marital life anymore. Since both have mutually agreed to live separately without any claim whatsoever from any side without any preconditions the decree of divorce by mutual consent as sought by the parties is hereby allowed.

Accordingly, the registered marriage under Section 13 of Special Marriage Act, 1954 executed on 18-09-2018 between the petitioners is hereby dissolved by a decree of divorce on mutual consent.

Consequently, the Marriage Certificate being No. 730 dated 18-09-2018 (**Ext. 1**) issued by the District Marriage Officer, Sonitpur, Tezpur is hereby cancelled.

The District Marriage Officer, Sonitpur, Tezpur is asked to cancel the same. Inform the District Marriage Officer accordingly.

The TS (M) Case No. 02 of 2022 is accordingly disposed off.

Let a decree of divorce by mutual consent be prepared.

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