

Present : Vikas Kumar,
Principal Judge, Family Court, Jamui

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Date of Judgement : 10.04.2026
Matrimonial Case No. 93/2025

-----(Rahul Kumar Vs. Rubi Kumari)-----

Court of Principal Judge, Family Court, Jamui.

Present:- Shri Vikas Kumar
Principal Judge, Family Court,
Jamui.

Matrimonial (Divorce) Case No. 93/2025
Jamui, dated, 10th April 2026

1. Rahul Kumar, S/o- Manoj Yadav, aged about 23 years,
R/o Vill.- Darima, P.O.- Gadi Bishanpur, P.S.- Garhi, District- Jamui
At present R/o village – Gorba Matihana, P.S.- Sono, District – Jamui

.....**Applicant No. 1**

And

2. Rubi Kumari, W/o- Rahul Kumar, aged about 21 years, D/o- Yadu Yadav, R/o
Vill.- Gaura Matihana, P.S.- Sono, District- Jamui.
At present r/o village – Maura, P.O.- Maura, District – Jamui

.....**Applicant No. 2**

Counsel for the applicant No. 1:-, Sri P.N. Singh, Adv.

Counsel for the applicant No. 2:- Sri Pradeep Mandal, Adv.

U/s- 13(B) of the H.M. Act 1955

J U D G M E N T

1. The petition for divorce U/s- 13(B) of H.M. Act, 1955 has been filed on behalf of the petitioners i.e. husband and wife namely Rahul Kumar/applicant no. 1 and Rubi Kumari/applicant no. 2 for passing a decree for divorce on the ground of mutual consent.

2. The case of the applicants in brief is that the marriage of applicant Rahul Kumar no. 1 was solemnized on 12.06.2023 with applicant no. 2 Ruby Kumari as per Hindu rites and customs. Since the marriage, due to their way of life and lack of understanding towards each other, disputes kept arising between them, due to which the life of both became painful. There was always a conflicting state of mind between both the parties and they never liked each other nor did they agree on the same thing and living together has become difficult. A Panchayat was held on 26.01.2025 in the presence of well-wishers and family members of both the parties in which an attempt was made to resolve the dispute between the two parties and the Panchayat was successful in which a mutual agreement was reached between both the parties for Rs. 9,00,000/- as one time maintenance from applicant no. 1, which was to be paid in three installments through three different demand drafts. Applicant no. 1 and applicant no. 2 are living separately since 12.07.2023 and both of them want to resolve the dispute voluntarily and

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happily on the basis of mutual consent. By mutual consent both the parties and their learned counsels have willingly put their signatures/thumb impressions. After obtaining the marital divorce, both the parties will be independent from each other and neither party will ever claim in future. Both the parties spend their time for the last time in village Maura which is within the jurisdiction of this Court. The cause of action arose on 12.07.2023, from which date both the parties are living separately. Hence the petitioners prayed for the passing a decree of divorce on mutual consent u/s- 13(B) of H.M.A. and the marriage solemnized between the petitioners be set aside.

3. The applicant No. 1 and applicant No. 2 have filed affidavits and submitted that both the parties have agreed for mutual divorce.

FINDINGS

4. From perusal of case record, it appears that the petition for mutual divorce has been filed on 02.06.2025 and thereafter counseling was done between the parties but could not produce the desired result. After passing of the statutory period of six months evidence of both the parties were recorded.

5. The statement of both the parties was recorded on affidavit. According to applicant no. 2 Rubi Kumari, she was married with applicant no. 1 Rahul Kumar on 12.06.2023 but from the marriage itself no sweet relation could developed between them. Even physical relation could not be established, so both of them decided to break their marriage with the consent of their guardians. It has been decided that she will be given one time maintenance amount of Rs 9 lakh from Rahul. She has already received Rs. 6 lakh and now she has no objection if rest amount of Rs. 3 lakh is provided on the day of judgment. Now she will not claim anything against applicant no. 1 in future. Applicant no. 1 has also made more or less similar statements about the date of marriage, relationship and the one time settlement amount.

6. Considering the facts discussed above as well as the pleadings of both the parties including the other materials available on record and the evidence of both the parties, the Court finds that the marriage between the parties was solemnized on 12.06.2026 according to Hindu Rites and Customs at District Jamui. But only after the marriage due to some differences between the parties, they started to live separately from each other since 12.07.2023. The counseling was also done by this Court but the reconciliation including all efforts made by

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this court went in vain. The parties are not at all ready to live together and they continue to live apart from each other for more than a year before filing this case.

7. The court finds that both the parties have agreed to dissolve their marriage with their mutual consent which is without coercion, threat and undue influence. The materials/ evidences available on the case record, further reveals that there is no written agreement between the husband and wife for divorce contrary to the provisions contained in Hindu Marriage Act 1955. This court further finds that out of the settled amount of Rs. 9 lakh, applicant no. 2 has already received Rs. 6 lakh and today rest Rs. 3 lakh vide DD no. 002996 drawn on HDFC Bank Jhajha Branch dt. 23.03.2026 has received by the applicant no. 2 in the Court. So, there is nothing due in respect of permanent alimony/ maintenance as the petitioner no. 1 and the petitioner no. 2. have amicable settles all their disputes and shall not claim each other in any manner. They have no children from the conjugal life. They are also living separately beyond statutory period of one year.

8. Therefore from the forgoing discussion, this court comes to the conclusion that both the parties are entitled to get a decree of divorce on the basis of their mutual consent under section 13(B) of the Hindu Marriage Act 1955 and accordingly the marriage solemnized on 12.06.2026 between the petitioners, is liable to be dissolved by a decree of divorce on the basis of their mutual consent as prayed for.

9. It is, therefore,

ORDERED

That this suit be and the same is decreed in favour of both parties and it is hereby declared that the marriage tie in between applicant No. 01 and applicant No. 02 is hereby, dissolved without cost.

Let a decree by prepared accordingly.

Dictated & corrected by me.

**Principal Judge, Family Court,
Jamui.**

Dated:- 10.04.2026

**Principal Judge, Family Court,
Jamui.**

10.04.2026

Date of Judgment / Order	10.04.2026
Date of Reserving Judgment / Order	24.03.2026
Uploading Date	10.04.2026
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