

Court of Principal Judge, Family Court, Jamui.

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

Matrimonial (Divorce) Case No. 190/2025

Jamui, dated, 16th March 2026

1. **Sanjay Ram** S/o Late Bino Ram aged about 31 yrs.
Resident of village-Sarhi, Tola Kenuhat, P.S.- Lakshmpur Dist.-Jamui.
.....**Applicant No. 1**

And

2. **Munni Devi** W/o Sanjay Ram aged about 26yrs.
Daughter of Sri Lalit Ram, Resident of village-Sarhi, Tola Kenuhat, P.S.-
Lakshmpur Dist.-Jamui.
At presently residing at her parental house situated at village Manniyadda,
P.S. & Dist.-Jamui.**Applicant No. 2**

Counsel for the applicant No. 1:- Sri Surendra Kumar Pandey, Adv.

Counsel for the applicant No. 2:- Sri Rajiv Ranjan Singh, Adv.

U/s- 13 (B) of the Hindu Marriage Act 1955

JUDGMENT

1. The petition for divorce U/s- 13B of Hindu Marriage Act, 1955 has been filed on behalf of the petitioners i.e. husband and wife namely Sanjay Ram /applicant No. 1 and Munni Devi/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 between applicant no. 1 and applicant no. 2 was solemnized as per Hindu rites and customs in the year 2015. On the day of marriage both the parties were major and competent to enter into a married life, as per law. After marriage the petitioner no 2 came to her in-laws' house (Sasural) and started conjugal life and during this wed lock period she gave birth to a male child namely Shivam Kumar, he is about 9 years old. The parties mutually agreed to give custody of the child to Husband Sanjay Ram/Wife Munni Devi. The parties

could not adjust with each other due to temperamental differences and their marriage has broken down irretrievably and it is now not possible between the parties to live as husband and wife any more. All the efforts of reconciliation between the parties to continue the present marriage has failed and there are no further chance of reconciliation between the parties any more. The parties are residing separately since 19.02.2018 and there is no cohabitation between the parties since then. The parties have now decided to dissolve the marriage legally through a decree of divorce on mutual consent. The parties have settled all their claims, counter claims etc., and the wife/petitioner no. 2 has received her entire Stridhan, permanent alimony, maintenance for her own and for son also and there is no dues with regard to any other claim between the parties. The petitioner no. 2 or her son will not claim any right in future against the petitioner no. 1. The petitioner no. 1 agreed to pay Rs. 4,00,000/ to the Petitioner no. 2 as agreed in compromise / agreement mutually signed and filed by the parties on 21.03.2025, before this Court in Misc. Case no 28/2022 and in terms of compromise the wife Munni Devi has decided to withdraw her Complaint Cases No. 539C/2018, 1326C/2022 pending in the Court of Learned S.D.J.M. Jamui and Misc. Case No 28/2022 filed for implementation of maintenance order dated 18.08.2022 passed by this Court in Maintenance Case No-21M/2019 filed on behalf of the Petitioner no. 2 with son Shivam Kumar. The present petition is not being filed in collusion. There are no other divorce proceeding pending before any Court. It is therefore prayed to accept the present petition and grant a decree of divorce between the parties thereby, dissolving the marriage between the parties.

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 16.10.2025 and thereafter case was admitted on 20.11.2025 and thereafter counseling was done between the parties but could not produce the desired result. Ld. Counsel for the parties prayed for exemption of statutory period of six month on the ground that the

relationship between the parties have reached to an irreconcilable stage. Considering that the parties could not be brought together to lead a conjugal life together due to acrimony arising out of litigation between them. This Court waived off the cooling period of Six month and proceeded with recording their statement taken on 27.02.2026.

5. Both Sanjay Ram/applicant No. 1 and Munni Devi/ applicant no. 2 have reiterated their statements made in the divorce petition and stated that the marriage between the parties was solemnized as per Hindu rites and customs in the year 2015. Out of their wedlock one son namely Shivam Kumar was born, who will remain in the custody of his mother, who is applicant no. 2. According to them they tried their best to resolve their differences and carry forward their matrimonial life but it could not succeed. Thereafter they mutually agreed to end their matrimonial relation through a legal way. Applicant no. 2 has stated that she has already withdrawn her maintenance case filed by her and her son. She has also made an agreement in two complaint cases vide Complaint Case no. 539C/2018 and 1326C/2022, which she has already withdrawn from the Court of Ld. SDJM, Jamui. According to applicant no. 2 she will not claim against applicant no. 1 in future. Out of the one time maintenance amount of Rs. 4 lakh, as agreed upon, she has already received Rs. 1 lakh in Misc. Case no. 28/2022 on 21.03.2025. Today, she has received Rs. 3 lakh through two separate demand draft bearing no. 005310 and 005311 dt. 21.02.2026 drawn on State Bank Of India. Both have stated that they have no objection if divorce is granted.

6. From the above facts and circumstances, it appears to this court that the said marriage between the parties has completely broken down and there is no possibility of restoration of conjugal rights between the parties. They are also living separately from each other from 19.02.2018. This Court finds that the parties have settled all their differences amicably. The child named Shivam Kumar shall be in the custody of his mother, who will take care of him. Applicant no. 2 has already received one time maintenance amount of Rs. 4 lakhs. It appears that out of this amount she has received Rs. 1 lakh in this Court during the proceeding of execution of order of Maintenance Case

no. 21M/2019 vide Misc. Case no. 28/2022 and the rest amount has been received by the wife on 27.02.2026 through two demand draft of Rs. 1.5 lakh each, through two separate demand draft bearing no. 005310 and 005311 dt. 21.02.2026 drawn on State Bank Of India. Both have stated that they have no objection if divorce is granted. It appears that the petition is without coercion, undue influence and fraud. So, all the conditions of divorce on mutual consent is fulfilled by the parties.

7. 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 between Sanjay Ram /applicant No. 1 and Munni Devi /applicant No. 2 is hereby, dissolved without cost. Let a decree be prepared accordingly.

Dictated & corrected by me.

**Principal Judge, Family Court,
Jamui.
16.03.2026**

**Principal Judge, Family Court,
Jamui.
16.03.2026**

Date of Judgment / Order	16.02.2026
Date of Reserving Judgment / Order	27.02.2026
Uploading Date	16.02.2026
Uploading by	Mithun Kumar, D.W.