

BEFORE THE FAMILY COURT-CUM-III ADDL. DISTRICT & SESSIONS
COURT AT NIZAMABAD

**Present: Smt. Chiranji Ashalatha,
Judge, Family Court-cum-III ADJ,
Nizamabad.**

Dated this the 22nd day of July, 2024

FCOP.No. 6 of 2022

BETWEEN:

Smt. Sonal Namdev Shrangare W/o Namdev Shamrao Shangare,
aged about 27 years, Occu: Labour, Deoni, Latur, Maharashtra,
presently residing at H.No.11-1-2320, I. P. Colony, Nizamabad
(Working at RK modern rice mill) Nizamabad.

... Petitioner

And

Namdev Shamrao Shrangare S/o Shamrao Shrangare, aged about
40 years, Occu: Private Serive, R/o H.No.3-100, Lotie Galli,
Tq.Deoni, Latur, Maharashtra.

...Respondent

This petition coming before me for final hearing
on 11-07-2024 in the presence of Sri J. Venkateshwar, Sri K. Rama
Krishna, Advocates for petitioner and Respondent having set ex-
parte and having stood over for consideration till this day, the
Court has made the following:-

:: O R D E R ::

1. The petitioner filed this petition U/s 13(1) (ia) and (ib) of the
Hindu Marriage Act, 1955 seeking for divorce by dissolving her
marriage with the respondent.
2. The petitioner's case in brief is as follows:

(i) Her marriage with the respondent was solemnized on 13-03-2011 in Aurad TQ, Bedhar District as per the Hindu rites and customs. After marriage they lead their marital life in his residence for one year. During their wedlock they blessed with a girl Chaman on 2017.

(ii) Since the date of marriage he was so cruel to her. She suffered much mental agony. In spite of her several efforts to change his attitude, he did not change. He expressed several times that he dislikes her. He was drunkard and several times he came drunk, beat her mercilessly and abuse her. Panchayaths were held many times, but in vain.

(iii) Her maternal aunt Hamsa has been working in Nizamabad. In February, 2018 the petitioner along with her husband and their daughter came to Khanapur, Nizamabad for their livelihood. With the help of her maternal aunt, they both got employment in Khanapur. They got a rental portion nearer to the house of her maternal aunt. However, he did not change his attitude. He used to come drunk and used to beat her. Her neighbors warned him to change his behavior.

(iv) On 09-10-2018 he left house with out any information. She tried to contact him, but she could not get him. Then she along with her child took shelter in the house of her maternal

aunt. He did not care about the welfare of her and her child. Further, his colleges and friends informed that he did not like her nor interested to live with her. He never respected her. Even in petty quarrels between them, he used to abuse her in filthy language. She is working as a labourer. He deserted her for more than three years. She has no hope that he would join her. Hence, this petition.

3. Notice to the respondent was served by way of publication in "Lokmat" daily. Service of notice to the respondent is held sufficient. The respondent called absent and remained exparte.

4. In support of her case, the petitioner examined herself as Pw1, marked Ex.P1 to 4 and further examined Pws 2 and 3.

5. I have heard the counsel for the petitioner and perused the material on record.

6. Now the point that arises for consideration is : "Whether the petitioner is entitled to seek the relief as sought for?"

7. **Point:** The petitioner as Pw1 reiterated her case. In proof of her marriage with the respondent she produced wedding card Ex.P1. Ex.P2 is photograph of Pw1 and the respondent. Pw1 categorically narrated about the respondent's harassment during their wedlock. She specifically stated that the respondent deserted her and her child since October, 2018. The respondent

called absent and remained exparte. He did not even choose to represent to deny the petitioner's allegations made against him. Further, Pws2 and 3 are neighbors of the petitioner and they supported the version of the petitioner. Thus, the evidence of Pws1 to 3 remained unchallenged. In view of all the above facts and circumstances, it is opined that the respondent treated the petitioner with cruelty and further deserted her without any sufficient cause. Therefore, it is held that the petitioner is entitled to seek the relief as sought for. This point is answered accordingly.

8. **In the result**, the petition is allowed with costs by dissolving the petitioner's (Smt. Sonal Namdev Shrangare) marriage with the respondent (Namdev Shamrao Shrangare) solemnized on 13-03-2011 with effect from this day.

Typed to my dictation to the Personal Assistant, corrected and pronounced by me in open Court on this the 22nd day of July, 2024.

Judge,
Family Court-cum-III ADJ Court,
Nizamabad.

Corrections carried out:-

APPENDIX OF EVIDENCE
WITNESSES EXAMINED

For Petitioner:-

PW1: Smt. Sonal Namdev Shrangare
PW2: Smt. Shahubai Saylu Konpure
PW3: Smt. Samunabhai Pandari Bhajane

For Respondent:

-None-

EXHIBITS MARKED**For Petitioner:-**

Ex.P1: Marriage card dt.12-03-2021 with translation in telugu

Ex.P2: Photograph of petitioner and respondent

Ex.P3: Self attested copy of Aadhar card of petitioner

Ex.P4: Original Electricity bill

For Respondent:

-NIL-

Judge,
Family Court-cum-III ADJ Court,
Nizamabad.

Corrections carried out:-