

IN THE COURT OF THE PRINCIPAL SENIOR CIVIL JUDGE
AT :: KARIMNAGAR..

PRESENT: SMT. M.ARUNA,
PRL. SENIOR CIVIL JUDGE,
KARIMNAGAR.

Wednesday, this the 1st day of March, 2023

H.M.O.P. No. 173 OF 2022

Between:

Bandela Srinivas, S/o. Late Rajaiah, Aged 27 years, Occ: Car Driver,
R/o. H.No.1-81/1, Indurthi Village, Chigurumamidi Mandal,
Karimnagar District.

...Petitioner No.1.

And

Bandela @ Kunta Manasa, W/o. Bandela Srinivas, D/o. Kunta
Pochamallu, Aged 26 years, Occ: Household, R/o. H.No.1-40,
Kamanpur Village of Kothapally (H) Mandal, Karimnagar District.

...Petitioner No.2.

This petition is coming before me for final hearing on 16.02.2023
in the presence of Sri K.Ramesh & Sri G.Madhu, Advocates for the
Petitioners No.1 and 2, and upon perusing the material papers on
record, having been heard and having stood over for consideration to
this day, the Court delivered the following:-

:: O R D E R ::

1. This petition is filed by the petitioners No.1 and 2 under Section
13-B of Hindu Marriage Act, 1955 for dissolution of their marriage
dated 16.08.2017 by mutual consent.
2. The brief averments of petition is that petitioner No.2 is the

legally wedded wife of petitioner No.1 and their marriage was performed on 16.08.2017 at parental house of petitioner No.2 at Kamanpur Village of Karimnagar Mandal as per Hindu rites and customs. After the marriage the petitioner No.2 joined the society of the petitioner No.1 at Indurthi Village of Chigurumamidi Mandal, Karimnagar District, and during their wedlock they were blessed with one female child namely Hyndavi, and since one year of their marriage some matrimonial differences arose between the petitioners No.1 and 2 so the petitioner No.2 left the society of the petitioner No.1 and living at her parental house and in this regard several panchayaths were held in between the parties and parents of the parties and relatives who have tried to reconcile the petitioners, but in vain. As such, both the petitioners have agreed to dissolve their marriage by a decree of divorce from the competent court of law on mutual consent.

3. That as per the terms of compromise, the petitioner No.1 has agreed to give Rs.4,00,000/- towards permanent alimony to the petitioner No.2 and has already paid Rs.1,00,000/- to the petitioner No.2 towards advance amount on 16.11.2022 and agreed to pay the remaining amount of Rs.3,00,000/- to the petitioner No.2 at the time of filing of chief affidavit and further the petitioner No.1 also agreed to

register Acre 01.00 guntas of land situated at Indurthi Village of Chigurumamidi Mandal, Karimnagar District in favour of minor daughter. That both the parties have exchanged their household articles, gold and silver ornaments presented at the time of marriage. Hence, this petition.

4. During the pendency of petition, there were some reconciliation talks held, but failed, so that both the petitioners stated that they do not intend to withdraw the petition and further represented that there is no chance for their re-union and insisted this Court for grant of divorce and also both the petitioners requested this Hon'ble Court to dispense the cooling period of six months and filed I.A. No.139/2023 and the same was allowed.

5. To prove the case of the petitioners, the petitioner No.1 is examined as P.W.1 and got marked Exs. P1 and P2. The petitioner No.2 is examined as P.W.2 and no documents marked on his behalf.

6. Heard both sides and perused the record.

7. Now the point for consideration is ***“Whether the petitioners No.1 and 2 are entitle for the relief of granting decree of divorce under mutual consent as prayed for?”***

8. **POINT:** In support of the case, the petitioners No.1 and 2 have filed their chief affidavits, and examined as P.W's 1 and 2, Exs. P1 and P2 got marked, the Ex.P1 is the original marriage invitation card, Ex.P2 is the joint marriage photograph of the petitioners. As per Ex.P1, it goes to show that the marriage of the petitioner No.1 held with the petitioner No.2, Ex.P2 also supporting that at the time of their marriage, the photographs were taken by them.

9. Therefore, the evidence of P.W's 1 and 2/petitioners No.1 and 2 and the Exs. P1 and P2 are goes to show that the marriage of P.W's 1 and 2 was performed on 16.08.2017 at the parental house of the petitioner No.1 at Kamanpur Village as per Hindu rites and customs. After the marriage the petitioner No.2 joined the society of the petitioner No.1 at Indurthi village and out of their wedlock they were blessed with one female child and since one year from their marriage some matrimonial differences arose between them and petitioner No.2 left the society of the petitioner No.1 and living at her parental house, and in this regard parents of the petitioners and other relatives have tried their level best to convince the petitioners and also to pacify the disputes arose between them, but all their efforts went in vain. They have not been able to live together and there is no possibility of any

reconciliation or reunion between them. As such, both the petitioners have agreed to dissolve their marriage by a decree of divorce with mutual consent. Hence, the P.W's 1 and 2 are entitled to take divorce by mutual consent as prayed for and accordingly, the point is answered.

10. In the result, the petition is allowed by granting decree of divorce by dissolving the marriage took place between the petitioner No.1 and petitioner No.2 dated 16.08.2017. No order as to costs.

Dictated to Stenographer directly on computer in the open court on this the 1st day of March, 2023.

Sd/-
PRL. SENIOR CIVIL JUDGE,
KARIMNAGAR.

APPENDIX OF EVIDENCE
WITNESSES EXAMINED

FOR THE PETITIONERS:

P.W.1 Bandela Srinivas.
P.W.2 Bandela @ Kunta Manasa.

EXHIBITS MARKED

FOR THE PETITIONERS:

Ex.P1 Original invitation card.
Ex.P2 Joint marriage photographs of the petitioners two in number.

Sd/-
PRL. SENIOR CIVIL JUDGE,
KARIMNAGAR.