

Received on : 01.01.2026.
Registered on : 01.01.2026.
Decided on : 13.03.2026.
Duration : 12D/ 02M/ 00Y

**IN THE COURT OF PRINCIPAL SENIOR CIVIL JUDGE,
MANGROL.**

Regular Civil Suit No. 01/2026

Exh.No. : 7

Plaintiff **Shalina Mohsin Vadsariya, D/O Akbarali Fidai**

Age 28, Occupation : Household work

Residing at B-402, Karimabad Society Tarsadi

Ta. Mangrol, Di. Surat.

Versus

Defendant : **Mohsin Abdul Vadsariya**

Age: Adult Occupation Service

Residing at 79, Street No. 5, Nagarik Bank Society

Madharam, Timbawadi, Junagadh Taluka Mangrol,

District, Surat

Ld.Adv.Mr. K. M. Solanki for the plaintiff.

Ld.Adv.Mr. G. M. Shah for the defendant

Suit for Dissolution of Muslim Marriage as per Act-1939 Section 2

JUDGMENT

1. The Wife has preferred this suit against the defendant Husband. By preferring this suit, the plaintiff has sought for a decree of declaration of divorce that the marriage solemnized between the parties on 23/09/2022. After the marriage the plaintiff went to her matrimonial home to live with the defendant and enjoy marital life. The defendant holds Permanent Residency of Canada and works as a Manager at KFC in Nanaimo city. Soon after the marriage he went back to Canada. He was supposed to take the plaintiff with him but did not do so. Because of this disputes and disagreements started between the parties. Due to these circumstances, the marital relationship between the plaintiff and the defendant could not continue smoothly. In accordance with Islamic Shariat, Law, and the customs of the community

The brief facts of the plaintiff's case is narrated in plaints are as under: The marriage between the parties have been solemnized on 23/09/2022. That subsequently serious differences arose between the Plaintiff and Defendant and Mutual understanding and compatibility became impossible. There remained no scope or circumstances under which their marriage could continue peacefully in the future. It is alleged that during the marriage life, the dispute has been arisen between the parties in trivial matters. After full an mature consideration in a conscious state of mind and not under any intoxication or anger, both Plaintiff and Defendant

mutually consented to dissolve the marriage. After that they are living separately. Further, as per plaintiff's case, It is also stated that now plaintiff wants to consume his marrietal rights he is supposed to get a decree of divorce from the Court and for that purpose, she is required to file suit for declaration that the marriage between the parties. On the basis of this fact, she has asked for above mentioned decree.

2. Summons was issued against the defendant. It appears from the record that the summon has already been served to the defendant. Defendant presented to the court and filed the written statement vide ex-7 in the case. The plaintiff and defendant have decided to end their marital relationship, as it is not possible for them to continue their matrimonial life together. Therefore, it is requested that a decree of divorce be granted. The defendant has no objection if the decree is passed as prayed Paragraph 8 of the plaint.

3. Heard, Ld.Advocate referred and urged to pass the decree of divorce. Now, the question arises whether the plaintiff is entitled to get a decree? For the determination of this question, I have gone through the evidence produced in the suit . Thus, as the plaintiff's case is supported by documentary evidence and as well as no objection pursis of defendant to believe that the plaintiff has successfully proved his case. Hence, there is no hesitation in my mind to agree with the submission of plaintiff's side. Hence, I come to conclusion that plaintiff is entitled to decree on

admission under the provisions of the Act. Therefore, I am of the view that plaintiff's suit deserves to be allowed as prayed for. Hence, I pass the following order.

ORDER

1. The plaintiff's suit is allowed as prayed for. It is hereby declared that the marriage solemnized between the parties on 23/09/2022 has been dissolved. Further, it is hereby declared that the status of plaintiff Shalina Mohsin Vadsariya, the divorcee wife of defendant.
2. Decree to be drawn accordingly.

Pronounced in open court today on this 13st day of March, 2026

Mangrol
Date: 13/03/2026.

(J.S.PARMAR.)
Principal Senior Civil Judge
Mangrol
(Judge Code: GJ01155)