

MHCH010024222026



Received on : 02/02/2026

Registered on : 03/02/2026

Decided on : 17/08/2026

Duration : 6 Month, 15 Days

IN THE COURT OF ADHOC DISTRICT JUDGE-1,
CHANDRAPUR

(Presided over by Smt. S.Z. Khan)

Special Marriage Petition NO. 05/2026

Exhibit-16

... **PETITIONERS**

-: **Versus** :-

NIL.

.... **RESPONDENT**

APPLICATION UNDER SECTION 28(i) OF THE SPECIAL
MARRIAGE ACT, 1954 FOR MUTUAL DIVORCE.

Adv. Smt. J.R. Ingle, for the petitioners

J U D G E M E N T

(Passed on 17th August, 2026)

The petitioners have filed this petition under section 28 of the Special Marriage Act for divorce by mutual consent.

02] The applicants have submitted that they had performed marriage on 16/09/2020 before Special Marriage Officer, Chandrapur, Tah. & Dist. Chandrapur. After marriage, they had cohabited with each other and are blessed with one baby girl namely Niya from the wedlock.

03] After few months of their marriage, their relation become strained. They had started residing separately since 26/01/2024 on account of their continuous matrimonial disputes. Their family and friends tried to convince them. However, the efforts were futile. Lastly they decided to dissolve the marriage by mutual consent. The matter was referred for mediation but the mediation report that the mediation is unsuccessful has been received. The petitioners filed application to waive the cooling period of 6 months. The application was allowed. The evidence of the petitioners was recorded. They closed the evidence vide Pursis Exhibit-15.

04] Heard Ld. Advocate Smt. J.R. Ingle for the petitioners. From the submissions following points arose for my determination and I have recorded my findings thereon alongwith the reasons to follow:-

<u>POINTS</u>	<u>FINDINGS</u>
[1] Whether the petitioners are entitled for dissolve their marriage by mutual ... consent ?	Yes.
[2] What order ?	... As per final order.

REASONS

05] Ld. Advocate Smt. J.R. Ingle for the petitioners argued that the marriage of petitioner Nos.1 and 2 was registered before the Marriage Registrar, Chandrapur on 16/09/2020. The applicant No.1 cohabited with applicant No.2 till 26/01/2024. Since then they are residing separately due to their extreme differences of opinion. Hence, they have decided to dissolve the marriage by mutual consent.

06] The petitioner No.1 has adduced her evidence at Exhibit-08 and petitioner No.2 has adduced his evidence at Exhibit-09. During the evidence, the petitioner No.1 has proved the marriage certificate at Exhibit-11, Marriage Invitation Card at Exhibit-12, Birth Certificate of their daughter at Exhibit-13 and their Aadhar Cards at Exhibit-10 and 14 respectively.

07] The marriage certificate Exhibit-11 reveals that the petitioner Nos.1 and 2 had performed marriage as per the provisions of Special Marriage Act. According to them, they are residing separately since 26/01/2024. It further appears that there is no possibility of their reunion. Hence, I answer point No.1 in affirmative.

08] In view of foregoing discussion the parties proved that they are entitled for dissolution of marriage by mutual consent on the terms mentioned in their petition and evidence. Hence, I proceed to pass following order:-

ORDER

1. The petition is allowed.
2. Marriage between the petitioner Nos.1 and 2 is hereby dissolved.
3. Consent Terms shall form part of decree.
4. Decree be drawn accordingly.

Date : 17/08/2026

(Smt.S.Z. Khan)
Adhoc District Judge-1
Chandrapur.