


CNR No.MHNG130001672026 	Filed on	:	21.01.2026
	Registered on	:	23.01.2026
	Decided on	:	10.03.2026
	Duration	:	Yrs, Mon, Days

IN THE COURT OF CIVIL JUDGE SENIOR DIVISION, RAMTEK.  
(Presided over by Shri. S. M. Sarode)

H.M.P. No.20/2026

Exhibit No.16

1. Smt. Vaishali w/o Rakesh Waghmare,  
(Before marriage Ku. Vaishali  
d/o Naresh Gillurkar)  
Age:22 years, Occ.: Nil,  
R/o Post-Mouda, Tahsil-Mouda,  
District-Nagpur  
R/o c/o Shri. Naresh Gillurkar,  
Near Ambedkar Nagar, Ward No.1,  
Chicholi, Post-Khaparkheda,  
Naka No.5, Tahsil-Saoner, Dist.-Nagpur.

2. Shri. Rakesh s/o Ramrao Waghmare,  
Age: 25 years, Occu.: Private Job,  
R/o Post-Jastambha Chowk, Mouda,  
Tahsil-Mouda, District-Nagpur.

.. Petitioners

..Versus..

Nil

.. Respondent

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Advocate Shilpa Kamlesh Walde for the petitioners  
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( JUDGMENT )  
(Delivered on 10<sup>th</sup> day of March, 2026)

The factual matrix of the case is as under :

The marriage between petitioners was solemnized on 05/01/2025 at Tulshi Sanskrutik Sabhagruh, At-Koradi Devi Mandir Road,

Khaparkheda, Tahsil-Saoner, District-Nagpur, as per the rites and customs prevailing in their community.

02] After solemnization of marriage, the petitioners cohabited together and there is no issue, out of the said wedlock.

03] However, due to irreconcilable differences, frequent disputes, and incompatibility of temperament, the petitioners were unable to lead a harmonious matrimonial life and started residing separately since 20/01/2025.

04] Despite several conciliatory efforts made by the family members, reconciliation could not be achieved. Both parties mutually decided to dissolve the marriage and consented to file joint petition for divorce under section 13-B of the Hindu Marriage Act, 1955.

05] The petitioners have settled all their matrimonial issues amicably, including those relating to gift articles, maintenance and property. There exists no possibility of reunion, and both parties have unequivocally consented to the dissolution of their marriage.

06] From the facts and circumstances, following points formally arise for determination of the case and I have recorded my findings against each of them for the reasons recorded hereunder -

<b><u>Sr. No.</u></b>	<b><u>Points</u></b>	<b><u>Findings</u></b>
1)	Whether the petitioners are entitled to a decree of divorce by mutual consent under section 13-B of of the Hindu Marriage Act, 1955 ?	Yes.
2)	What order and decree ?	As per final order

**:: REASONS ::**

07] The petitioners have examined themselves at Exh. 9 and 14 respectively, and closed their evidence vide pursis at Exh.15. Learned advocates for the petitioners have advanced oral submissions supporting the prayer for mutual divorce.

As to point nos.1 and 2 :-

08] From the oral and documentary evidence on record, it is established that the marriage of petitioners was performed on 05/01/2025 as per the customary rites. Due to serious matrimonial discord, they have been residing separately since 20/01/2025. The mandatory separation period under section 13-B(2) of the Hindu Marriage Act, 1955 has been waived as per the order passed below Exh.6.

09] There is no evidence of coercion, fraud, or undue influence. It is further evident that the petition is not collusive, and the petitioners are seeking divorce out of their free will.

10] The petitioner no.2 reside at Post-Jastambha Chowk, Mouda, Tahsil-Mouda, District-Nagpur, within the jurisdiction of this Court, therefore, this court is competent to adjudicate the present petition.

11] Considering the facts, evidence and circumstances of the case, I am satisfied that the petitioners have complied with the necessary statutory conditions for grant of a decree of divorce under section 13-B of the Hindu Marriage Act 1955. They are entitled for such divorce by mutual consent as per the terms of petition. This petition therefore deserves to be allowed. I therefore, record my findings as against point no.1 in the affirmative and point no.2 accordingly and proceed to pass the following order -

<b>ORDER</b>	
[1]	The Hindu Marriage Petition No.20/2026 is hereby allowed.

[2]	It is hereby declared that the marriage between Smt. Vaishali w/o Rakesh Waghmare (Before marriage Ku. Vaishali d/o Naresh Gillurkar) and Shri. Rakesh s/o Ramrao Waghmare, solemnized on 05/01/2025 stands dissolved by a decree of divorce by mutual consent in accordance with the terms and conditions mentioned in the petition, under section 13-B of the Hindu Marriage Act, 1955 from the date of decree.
[3]	No order as to costs.
[4]	A copy of decree be furnished to both the parties free of costs as per section 23(4) of Hindu Marriage Act, 1955.
[5]	Decree be drawn up accordingly.
[6]	Pronounced and dictated in open court.

Ramtek.  
Date : 10/03/2026

[ S. M. Sarode ]  
Civil Judge Senior Division,  
Ramtek.

**Endorsement**

Case argued on	:	02.03.2026
Judgment dictated on	:	10.03.2026
Transcription ready on	:	10.03.2026
Judgment checked and signed on	:	10.03.2026

**CERTIFICATE**

I affirm that, the contents of this P.D.F. file of judgment are word to word, as per original judgment.

R. J. Khobragade -Stenographer(Grade II)

