

MHSO120006252025



Received on : 03/09/2025

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Decided on : 24/03/2026

Duration : Ys. Ms. Ds.  
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**IN THE COURT OF JT. CIVIL JUDGE, SENIOR DIVISION,  
BARSHI, DIST. SOLAPUR**  
( Presided over by : Revati M. Kante )

**Marriage Petition No. 140/2025**

**Exh. No. 18**

1. **Rahul Kumar Kadole**  
Age : 35 yrs., Occu.: Service,  
R/o. Nimshirgaon, Tal. Shirol,  
Dist. Kolhapur.
  2. **Nilam Nandakumar Pawar**  
(before marriage name)  
**Nilam Rahul Kadole**  
(after marriage name)  
Age : 31yrs., Occu.: Household,  
C/o. Nandakumar Ganpat Pawar,  
R/o. Alipur road, Shete plot,  
Barshi, Tal. Barshi, Dist. Solapur.
- } **Petitioners**

- Versus -

None.

} **Respondent**

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**Advocates** : Shri. A. D. Deshmukh for Petitioner No.1  
Shri. T. K. Shaha for Petitioner No.2

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**JUDGMENT**

(Delivered on this 24<sup>th</sup> day of March, 2026)

This is a petition under Section 13B of the Hindu Marriage Act, 1955 for divorce by mutual consent.

2) In brief, it is the case of petitioners that, their marriage was solemnised as per Jain rites & ceremonies on 25.08.2019 at Nimshirgaon, Tal. Shirol, Dist. Kolhapur. Their marital relations are still in existence. There is no child born to them out of said wedlock. After the marriage, petitioner No.2 went to cohabit with petitioner No.1. Initially they both lived together and cohabited. But, thereafter disputes arose between them due to differences in their natures. Ultimately, due to disputes and differences, on 05.04.2022 petitioner No.2 went to reside at her maternal home. Since then, both the petitioners have been living separately. Their parents & relatives tried to reconcile them, but all proved to be in vain. It is not possible for them to live and cohabit together. Thereafter, in the family meeting it was decided that the petitioners should take divorce by mutual consent. They have settled all their disputes including alimony. Hence, the petition for decree of divorce.

3) On the basis of contentions of petitioners, following points arise for my determination and my findings with reasons thereon are as follows :

SR.NO.	POINTS	FINDINGS
1.	Whether the petitioners are entitled for decree of divorce as prayed?	In the affirmative.
2.	What order and decree?	As per final order.

**REASONS**

4) In order to establish their claim, petitioners No.1 & 2 Rahul Kumar Kadole and Nilam Rahul Kadole have filed their evidence affidavits at Exh.14 & 15 respectively. They have also filed on record marriage list and verified copies of their Adhar cards. They have closed their evidence by filing pursis at Exh.16. I have heard arguments of learned advocates for both the petitioners.

**AS TO POINT NO.1:-**

5) The marriage solemnized between the petitioners on 25.08.2019 and there is no child born to them out of said wedlock, are undisputed facts. The evidence of both petitioners shows that, their natures were different, due to which disputes arose between them and therefore, it became impossible to cohabit with each other. They themselves have stated that, they could not live together and cohabit in future. Ultimately, due to disputes & differences both the petitioners have been residing separately since 05.04.2022. Their parents and relatives tried to reconcile them, but all proved to be in vain. It is not possible for them to live together. Thereafter in the family meeting it was decided that the petitioners should take divorce by mutual consent. They have also settled all their disputes including alimony.

6) After presentation of the petition, both the petitioners were referred for mediation. But from the report of learned Mediator at Exh.10 it revealed that, there is no possibility of settlement

between the parties. In view of order passed below Exh.11 dated 21.02.2026 the cooling period of six months was waived off. As agreed between the parties, petitioner No.1 has paid amount of Rs.80,000/- towards half tola gold ring and Rs.10,000/- towards bed and cupboard and given half tola gold ring to petitioner No.2. The petitioner No.2 has waived off her future maintenance right as well as rights in movable and immovable properties of the petitioner No.1.

7) In this way, as per the affidavits at Exhs. 14 & 15, this court is satisfied that, the marriage between the parties has been solemnised and both the parties are living separately for near about three years four months before presenting the petition. This court is also satisfied that, they were not able to live together at the time of presenting the petition and continue to live apart and they had mutually agreed to dissolve their marriage before and at the time petition was presented. This court is also satisfied that, the averments made in the petition are true and conditions under Section 23 of the Hindu Marriage Act are fulfilled. This court is also satisfied that, consent of either party is not obtained by fraud, force or undue influence. The petitioners have proved that, as per law they are entitled for the decree of divorce by mutual consent under Sec.13B of the Hindu Marriage Act. Therefore, I answer point No.1 in the affirmative.

**AS TO POINT NO.2 :-**

8) In view of discussion to point No.1, the petitioners are

entitled for the decree of divorce as per Section 13B of the Hindu Marriage Act, 1955. Hence, the petition deserves to be decreed. In the result, I pass following order.

**ORDER**

1. The petition is decreed.
2. The marriage between petitioner No.1 Rahul Kumar Kadole and petitioner no.2 Nilam Rahul Kadole, solemnized on 25.08.2019 is hereby dissolved by decree of divorce by mutual consent under Section 13B of the Hindu Marriage Act, 1955.
3. Both parties to bear their own costs.
4. Pending applications if any, are hereby disposed off.
5. Decree be drawn up accordingly.  
(Dictated and pronounced in open court.)

Date : 24.03.2026

**(Revati M. Kante)**  
Jt. Civil Judge, Sr. Div., Barshi.

**CERTIFICATE**

I affirm that the contents of this PDF file Judgment/Order are same word to word as per the original Judgment/Order.

- a) Name of the Stenographer : G.L. Sutar, Steno. Grade-2
- b) Court : Jt. C.J.S.D. and A.C.J.M.,  
Barshi.
- c) Date of Judgment/Order : 24.03.2026
- d) Judgment/Order signed by  
the Presiding Officer on : 24.03.2026
- e) Judgment/Order uploaded on : 27.03.2026