

**IN THE COURT OF THE SENIOR CIVIL JUDGE AT CHEVELLA,
RANGA REDDY DISTRICT**

PRESENT: Smt. P. Sreedevi
Senior Civil Judge, Chevella.
Ranga Reddy District.

Dated this the 12th day of June, 2023

H.M.O.P.No. 45 of 2022

Between:

Gangidi Narender Reddy S/o. Boji Reddy,
Aged 30 years, Occ: Business, R/o. Hd.No. 2-75,
Hythabad, Shabad Mandal, Cell No.9573601591,
R.R.District.

....Petitioner No.1

And

Smt Kuchireddy Mounika W/o. Gangidi Narender Reddy
D/o. Kuchireddy Mahipal Reddy, Aged 26 years,
Occ: Household, R/o. H.No. 6-123/1/1, Arvind colony,
Shamshabad, R.R.District. Cell No: 8247215754.

...Petitioner No.2

This petition coming on this day before me on 06.06.2023 in the presence of **Sri.T. Bala Bhaskar** Advocate for the Petitioners and matter having been stood over for consideration till this day, this court delivered the following.

ORDER

1. This petition is filed under Section 13-B of Hindu Marriage Act, 1955 by the petitioners requesting the court to grant decree of divorce by dissolving the marriage between the petitioners.

2. The brief averments of the present petition are as follow:

The marriage of petitioners was performed on 05.08.2020 as per Hindu Caste customs. Both parties are Hindus by religion and Governed by Provisions of Hindu Marriage Act, 1955. After the marriage petitioner No.2 joined the conjugal society to petitioner No.1 at his house at Hythabad, Chevella Mandal. Their marriage was consummated and they lived without disputes for a period of 3 months. Thereafter disputes arose between both parties due to difference of opinions. In spite of the same they lived together

Senior Civil Judge, Chevella.R.R.Dist.

but they could not resolve their differences which continued for further period which ultimately led the petitioner No.2 to join her parents on 29.08.2021 by leaving the petitioner No.1. Since then both parties residing separately from each other. A panchayath was convened on 26.04.2020 and elders tried to resolve the differences but their efforts were futile. Hence both parties agreed to take divorce mutually. Since last 13 months before filing of the present petition both parties are living separately from each other.

3. It is further contended by the petitioners that petitioner No.1 paid amount of Rs.6,50,000/- to the petitioner No.2 towards her permanent alimony and she acknowledged the receipt of the said amount. He returned the gold ornaments to the petitioner No.2 weighing about 25 tulas and handed over all the house hold articles. A document was reduced into writing by mentioning all the above facts and petitioner No.2 under took that she will not claim any kind of maintenance in the status of wife of petitioner No.1 in future. Hence present petition is filed requesting the court to grant divorce by dissolving the marriage of petitioners dated 05.08.2020.

4. Both parties appeared before the court personally. Enquiry was conducted. Basing on the oral enquiry and after counseling 6 months cooling period was granted for both parties for reconsideration of intention of taking divorce. After completion of cooling period of 6 months both petitioners appeared before the court on 02.06.2023.

5. This court has further conducted enquiry and examined the petitioners as PW1 and PW2. Heard the learned counsel for the petitioners and perused the record.

6. Point for determination is:

“Whether the petitioners are entitled for decree of divorce under Section 13-B of Hindu marriage Act 1955?”

Both petitioners filed their evidence affidavits and got examined as PW1 and PW2 respectively and they deposed corroborating to one another that their marriage was performed on 05.08.2020 and their marriage was consummated. After 3 months of the marriage disputes arose between both parties due to difference of opinion. In spite of the same they lived together but they could not resolve their differences which continued for further period. A panchayath was convened on 26.04.2020 and elders tried to resolve the differences but their efforts were futile. Hence both parties agreed to take divorce mutually. They requested the court to grant decree of divorce.

7, As per their pleadings and affidavits of both petitioners they are Hindus by religion and the Provisions of Hindu Marriage Act are applicable to them. After the marriage of petitioners they resided together only for a period of 3 months thereafter differences are cropped up between them. They themselves tried to resolve the differences and the elders also put their efforts to join both parties together again but their efforts were not successful. It is observed that there were incompatibility issues between them and their marriage is found to be irreconcilable inspite of best efforts made by the petitioners and their elders. The petitioners are living separately since 13 months prior to filing of the present petition.

8. Having regard to the facts and circumstances that took place between both petitioners and as both parties settled their terms as permanent alimony was paid to the petitioner No.2 and gold and household articles were returned to her she has given an undertaking she will not claim any maintenance in future in the capacity of a wife against to the petitioner No.1. It is further observed that there are no children to the petitioners. In view of above observations and after completion of the interregnum period

of cooling this court is of the considered opinion that there is no chance of reunion of both petitioners and except granting divorce by mutual consent the differences between both parties could not be subsided. Hence a decree of divorce can be granted by dissolving the marriage of petitioners. Accordingly this point is answered.

9. **POINT No.2:**

In the result, petition allowed granting decree of divorce by dissolving the marriage of petitioners solemnized on 05.08.2020. In the circumstance of the case there shall be no order as to cost.

(Typed to my dictation by the Stenographer, corrected and pronounced by me in the open Court on this the 12th day of June, 2023).

Senior Civil Judge
Chevella, R.R.District.

Appendix of Evidence

Witnesses Examined

For Petitioners :

PW1: G.Narender Reddy
PW2: K. Mounika

For Respondent:

-Nil-

Exhibits Marked

For Petitioners :

- Nil -

For Respondent :

- Nil -

Senior Civil Judge
Chevella, R.R.District.