
[CIRCUIT BENCH AT PORT BLAIR]

FAT/10/2025

Dr. Ritesh Mondal

$$V_S$$

Dr. Chhanda Mandal

Mr. Prohit Mohan Lall ... for the appellant

Mr. Arul Prasanth ... for the
respondent

August 4, 2026

[SR]

Item No. 4

1. The appellant has agreed that he is willing to accept the decree of divorce granted on the condition that the allegation of cruelty recorded by the trial Court and character assassination of the opposite party-wife as found by the trial Judge are set aside and redacted from the records of the trial Court.

2. This Court has carefully considered the arguments advanced by of the counsel for the appellant-husband and the opposite party-wife. Both of them are practicing medical doctors. Both of them are financially sound.

3. The parties are living separately for more than four years. There is no chance of reconciliation between them. The marriage has broken down irretrievably.

4. This Court is of the view that any further continuation of the marital relation would amount to cruelty on both the parties.

5. In that view of the matter, the decree for divorce passed by the learned Trial Court dated 20th March, 2025 is hereby affirmed.

6. The findings of the cruelty by the husband on the opposite party-wife and the allegations made by the husband against the opposite party-wife that could be interpreted as the character assassination shall stand redacted and deleted from the findings of the trial Court as well as pleadings of the trial Court.

7. Insofar as maintenance being paid by the appellant-husband to the opposite party-wife, it is submitted by the parties that the application is still pending before the trial Court. The trial Court shall proceed to decide the entitlement of the minor child that was born out of wedlock of the appellant and respondent as expeditiously as possible but preferably within six months from date.

8. The appellant shall meet the minor child at the place mutually agreed by the respective counsel of the parties, whenever he is in Sri Vijaya Puram.

9. The appellant-father shall cooperate to facilitate in every way, the education of the minor child.

10. Registry as well as the parties are at liberty to communicate the order to the trial Court forthwith.

11. With the aforementioned observations, FAT/10/2025 stands disposed of. There shall be no order as to costs.

12. All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court

(Rajasekhar Mantha, J.)

(Partha Sarathi Sen, J.)