(Mutual divorce) Mat. Suit No. 03 of 2013

03 01.08.13 Today is fixed for hearing of petition under section under section 28 (1) of Special Marriage Act, 1954.

First petitioner Smti. Divya Rao and second petitioner Shri Binod Gharami are present in Court. They have filed their affidavit-in-chief. On dock they have confirmed it. Both of them have prayed for getting the decree of divorce on mutual consent. The parties stated that there is no chance of reconciliation and both parties refuse to reconcile.

After going through the affidavit-in-chief of both the parties and after hearing them it seems to me that there is no chance of reunion. Therefore, no fruitful purpose will be served by keeping the marital tie intact.

Material evidence reveals that marriage between the parties was registered on 10.11.2010 before the Marriage Officer ADM, South Andaman under Special Marriage Act. Thereafter a social marriage was solemnized on 22.11.2010. The parties are living separately since from 10.12.2010 and the instant petition was filed on 04.01.2013. The parties are living separately for more than 2 years prior to filing of the petition. It is also stated in the affidavit that mutual consent was not obtained by force, fraud and coercion or undue influence. There is no collusion or connivance between the parties in filing the instant petition. Therefore, I am satisfied that the parties are entitled to the decree as prayed.

C.F. paid is correct.

Hence, it is,

ORDERED

That the petition under section 28 (1) of Special Marriage Act, 1954 is allowed on mutual consent. Parties do get a decree of divorce on mutual consent.

Marital tie between the First petitioner Smti. Divya Rao and second petitioner Shri Binod Gharami is hereby dissolved by way of a decree of divorce from this date.

The marriage certificate filed by the parties thus stands cancelled.

Original documents, if any, be returned to the parties concerned on furnishing an undertaking supported by an affidavit to produce the original as and when directed by this court.

Dictated and corrected by me.

D.J. **District Judge**