

**IN THE COURT OF DISTRICT JUDGE :::: MORIGAON.**

**T. S. (D) No.02/2018**

**PRESENT : Mr. P. Das,  
District Judge,  
Morigaon.**

Smti. Satarupa Devi Bhuyan & Sri Jatindra Mohan Bhuyan

**.....Plaintiffs/Petitioners.**

Advocate for the petitioners : Mr. Palash Pator, and Mr. P.R. Borah, Ld.  
Advocates.

Date of Final Order : 20.03.2019.

**ORDER**

The instant divorce petition was filed on 23.02.2018 by the wife Smti. Satarupa Devi Bhuyan against the respondent/husband Sri Jatindra Mohan Bhuyan, seeking divorce u/s 13 (1) (ia) of the Hindu Marriage Act, 1955. Upon issuance of notice, the respondent appeared. The case was at the stage of written statement. Conciliation was attempted, including that by this Court in chamber, but the same failed.

The petitioner in her pleading has contended that the marriage between both the parties was solemnized on 08.05.2009, according to Hindu vedic rights and rituals and thereafter they started staying together as husband and wife at the house of petitioner No.2 Jatindra Mohan Bhuyan. During their conjugal life, one female child was born namely J. S. Swatee in 2014. The petitioner no. 1 has further stated in her pleadings that the marriage soured and on 03.11.2017, she went back to her parental home.

Thereafter, on 18.01.2019, both the parties filed a joint petition expressly their desire to dissolve their marriage by mutual consent. Subsequently, on 27.02.2019 both the parties have filed petition no. 82/2019,

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supported by affidavit stating that they have decided to dissolve their marriage by mutual consent. It is further stated in the aforesaid joint petition that wife is not claiming any alimony/maintenance. It is also stated that the daughter of parties – J S Swatee, shall remain with the petitioner/wife.

Perused the materials on record, including the said joint petition dated 27.02.2019. Heard the learned Counsels. The parties were also present in person and support their joint petition.

In the aforesaid facts and circumstances, I am of the considered view that the joint petition dated 27.02.2019 can be accepted and the prayer of the parties seeking divorce by way of mutual consent can be allowed.

Accordingly, the marriage between the parties Satarupa Devi Bhuyan & Jatindra Mohan Bhuyan is hereby dissolved by way of divorce by mutual consent U/s 13(B) of the Hindu Marriage Act, 1955. In terms of the said joint petition dated 27.02.2019, Satarupa Devi Bhuyan, the mother is allowed to keep the minor daughter named J S Swatee under her custody as her natural guardian, subject to the reasonable visitation and other rights of the father.

Prepare the decree of divorce accordingly. The joint petition dated 27.02.2019 shall be a part of the decree.

The petition stands disposed of on the aforesaid terms.

The order is prepared and delivered in the open Court under my hand and seal on this 20<sup>th</sup> day of March, 2019.

(P Das)  
District Judge, Morigaon