IN THE COURT OF THE SENIOR CIVIL JUDGE AT JANGAON

Friday, this the 10th day of April, 2026

Present:-Smt. E. Sucharitha,
Senior Civil Judge,
JANGAON.

H.M.O.P. No.1 of 2026

Between:

Lakavath Ramesh, S/o: Hacha, Age: 26 years, Occu: Agriculture, R/o: Thurputhanda, Devaruppula Mandal of Jangaon District.

…. Petitioner

AND

Lakavath @ Banothu Divya, W/o Ramesh, D/o. Banoth Bal Singh, Age: 23 years, Occu Housewife, R/o Gudikunta Thanda, Palakurthy Mandal of Jangaon District

…Respondent

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This petition came before me on 10/04/2026 for final hearing in the presence of **Sri. Pasunuri Murali,** counsel for the petitioner, and respondent was set ex-parte; upon perusing the material papers available on record and upon hearing the arguments and the matter having stood over for consideration till this day, this Court delivered the following:

: : O R D E R : :

1. This is a petition filed U/S.13(1) (ia) and (ib) of Hindu Marriage Act, 1955 by the petitioner/husband against the respondent/wife for divorce by annulling the marriage that took place on 19.03.2020.

2. The brief averments of the petition are as follows:

The respondent/wife is the legally wedded wife of petitioner and their marriage was solemnized on 19.03.2020 at Gudikunta thanda, Palakurthy mandal of Jangaon District. At the time of marriage no dowry was taken by the petitioner and gold ornaments worth Rs.2 lakhs were presented to the respondent, which are with her custody. That, after the marriage, the petitioner and respondents lead

happy marital life for some time and there was no children born out of their wedlock. The respondent after the marriage, showed her true colours and started behaving adamantly and never respected the petitioner and his family members. She used to give reckless answers in the presence of his friends and relatives. The respondent never attempted to take any household work. The petitioner several times suggested the respondent to mend her attitude. But, she never listened. Once the father of the respondent took hand loan of Rs.50,000/- from the petitioner and the said amount was arranged by the petitioner from his friends. But, the father of respondent failed to repay the same. That, the respondent on petty issues left the conjugal society of the petitioner and at that time keeping in view of the bright future, the petitioner convinced her. There were several panchayaths held, but the respondent did not listen to the advise of the elders. The respondent used to make comment on the petitioner by suspecting his character. But, the petitioner bore the ill-treatment. The respondent used to listen to the words of her family members and she used to demand the petitioner to shift the residence to her parents' house. The petitioner did not accept and in the month of December, 2022 without any intimation the respondent left the company of the petitioner.

3. The petitioner made all possible efforts for the reunion, but the respondent did not join the conjugal society. Further, the respondent maintained illegal contact with another person. The petitioner also filed a petition for restitution of conjugal rights vide HMOP No.94/2024 on the file of this court calling the respondent to join his company. But, the respondent did not join the company of the petitioner and

did not lead any marital life. That despite the efforts of the petitioner, the respondent failed to join his company and the marital tie between the petitioner and respondent is irretrievably broken down and there is no scope for reunion. Hence, the petition.

4. On the other hand, the respondent on whom service of notice was held sufficient did not appear before this court and she was set exparte on 05.03.2026.

5. During the course of enquiry, petitioner got examined himself as PW-1. Through PW1 Exs.P1 and P2 are marked. Ex.P1 is the marriage card, Ex.P2 is the certified copy of order and Decree in H.M.O.P.No.94/2024.

6. Heard arguments on behalf of petitioner.

7. Now the point for consideration is:

8. "Whether the petitioner is entitled to obtain decree of divorce from respondent, as prayed for ? "

Answer to the point:

9. The petitioner/husband sought for divorce from his wife/respondent, on the ground that the respondent never attempted to household works and suspected the character of the petitioner and insulted the petitioner in front of his friends. Further, that respondent used to demand the petitioner to shift the residence to her parents' house and inspite of panchayaths the respondent did not change and join the petitioner and deserted the petitioner since December, 2022.

10. In the present case, in order to obtain divorce, the petitioner spouse must be able to prove that the respondent subjected petitioner to cruelty or desertion which made it not possible for the petitioner spouse to live with respondent

spouse.

11. The oral testimony of PW1 is the replica of petition averments. On perusal of Ex.P1 it is seen that the marriage of petitioner and respondet took place on 19.03.2020. Mere oral evidence of petitioner that, he was subjected to cruelty is not sufficient and even the oral evidence in connection to cruelty is without any narration of incidents and without any narration. However the version of petitioner that respondent since December, 2022 deserted him is believed, and even the Ex.P2 discloses that earlier petitioner filed HMOP No.94/2024 for restitution of conjugal rights and it was allowed and respondent was directed to join the company of the petitioner. It appears that the respondent is not interested to join the company of the petitioner. In said circumstances, where there is desertion for more than 03 years by the time of filing this petition, the petitioner spouse cannot be reasonably expected to live with respondent spouse. Hence, in view of above reasons it is concluded that the petitioner is entitled to obtain divorce from his wife on the ground of desertion. Accordingly, the point is answered in favour of petitioner and against respondent.

12. **In the result,** the petition is allowed without costs. The marriage of the petitioner with the respondent that took place on 19-03-2020 is hereby dissolved from this day i.e. 10-04-2026 by way of a court decree under Sec.13 (1) (ib) of Hindu Marriage Act.

(Typed to my dictation by the Stenographer Grade- I, corrected and pronounced by me in Open Court, on this the **10th day of April, 2026**.)

Sd/xxxxxx
SENIOR CIVIL JUDGE
JANGAON

APPENDIX OF EVIDENCE
WITNESSES EXAMINED

For Petitioner: **For Respondent:**
PW1: Lakavath Ramesh -None-

EXHIBITS MARKED

For Petitioner:
Ex.P1: Marriage card

Ex.P2: Certified copy of order and Decree in H.M. O.P.No.94/2024.

For Respondent: -Nil-

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True Copy
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