IN THE COURT OF THE SENIOR CIVIL JUDGE AT JANGAON

Friday, this the 06th day of March, 2026

Present:-Smt. E.Sucharitha,
SENIOR CIVIL JUDGE,
JANGAON.

H.M.O.P.No.23 of 2026

Between:-

1. Erusavadla Krishna, S/o. Satyam, aged about 35 years, occupation: Employee, R/o.H.No.2-297, Nehru Nagar, Near: Mettugutta, Madikonda, Hanamkonda District.

2. Erusavadla @ Swargan Vijaya Sree, W/o. Krishna, D/o. Swargam Prakasham, aged about 28 years, occupation: Household, R/o. H.No.2-297, Nehru Nagar, Near: Mettugutta, Hanamkonda District, presently residing at her parents house at H.No.6-2-6/2, Jyothi Nagar Colony, Hyderabad Road, Jangaon Madikonda, town and district.

….Petitioner No-1 & 2

And

NONE **….Respondent**

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This petition came before me on 06/03/2026 for final hearing in the presence of **Sri. Sreeram Srinivas, and Sri. Gajula Ravinder**; counsel for the Petitioner No-1 and Petitioner No-2 and there is no Respondent; 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 an application filed U/s.13-B of Hindu Marriage Act, 1955 by the petitioners No-1 and 2 praying this Court to grant divorce of mutual consent by dissolving their marriage held on 03-03-2018.

2. The brief averments of the petition are that, the petitioners No-1 and 2 got married on 03-03-2018 at B.M.R. Gardens, Hyderabad Road, Jangaon town

and District, as per the customs and traditions of Hindu marriage. Their marriage was consummated.

3. The petitioners further stated that they lead marital life happily for a period of one year only. Thereafter, due to serious differences between them, they are unable to live together, which resulted in the petitioners living separately since one year only till today. The matter was placed before elders and that several panchayats were held before caste elders, well-wishers and village elders and they have advised them to live happily without any disturbance, but the petitioners did not head their advice and the marriage between the petitioners broke irretrievably and there is no possibility of re-union. Keeping in view the disturbed family life of petitioners and that the couple have been living separately from 10-09-2021 till today, the elders advised them to approach competent court for dissolution of their marriage on mutual consent. It is further stated that, in view of their compromise,they declared that they would not file any further cases against each other either civil or criminal, they further declared that they shall not interfere in the family affairs of each other and there is no collusion between them. The petitioner no.1 has agreed to pay Rs.13,00,000/- to petitioner no.2 towards permanent alimony. The petitioner no.1 had paid Rs.9,00,000/- to petitioner no.2 and remaining amount of Rs.4,00,000/- will be paid to petitioner no.2 by petitioner no.1 at the time of adducing the evidence. Petitioner no.2 filed a criminal case against the petitioner No.1 and his family members before the S.H.O. Jangaon Police Station U/s.498A I.P.C. Section 3 & 4 D.P. Act, vide F.I.R. No.402/2021, dated 14-09-2021 vide C.C. No.1127/2021 and the petitioner No.2 had filed D.V.C. No.8/2022 dated 03-03-2022 and also the petitioner No.2 had filed M.C. 8/2022 dated 03-03-2022 against the petitioner No.1 and his

family members, and the same was pending before the Principal Judicial First Class Magistrate at Jangaon. The petitioner No.2 had agreed to withdraw the above all cases after the decree of divorce. As both the petitioners wish to lead their independent life without effecting other parties private life they filed this petition with mutual consent without any coercion or any force.

4. During enquiry both the petitioners submitted that they have already exchanged their belongings, cloths, gold ornaments, and articles of each other and nothing is left over to be exchanged as agreed by them. The petitioners undertake that, they will not file any criminal and civil cases against each other and their family members either in movable or in immovable properties. The petitioner No.2 shall not file any cases against the petitioner No.1 and his family members either against movable or immovable properties at any point of time, hereinafter they shall not interfere in the individual life of each other and liberty to lead their lives with their own choice.

5. While the matter stood pending for six (6) months statutory period observation the petitioners filed waive petition U/s 13-B, with a prayer to waive off six (6) months statutory period by relying on a decision of Hon'ble Supreme Court rendered in **Civil Appeal No.1158/2017, dt.12/09/2017 between Amardeep Singh Vs. Harveen Kaur** wherein it is held that:

> *"The court dealing with a matter is satisfied that a case is made out to waive the statutory period under Sec.13 B(2), it can do so after considering the following:*
> *i) the statutory period of six months specified in Sec.13 B (2), in addition to the statutory period of one year under Section 13 B (1) of separation of parties is already over before the first motion itself;*

ii) all efforts for mediation/conciliation including efforts in terms of Order XXXIIA Rule 3 CPC/ Section 23 (2) of the Act/Section 9 of the Family Courts Act to reunite the parties have failed and there is no likelihood of success in that direction by any further efforts;
iii) the parties have genuinely settled their differences including alimony, custody of child or any other pending issues between the parties.
iv) the waiting period will only prolong their agony.

6. In view of the guide lines noted above, the parties, were made to attend counseling but none of them got materialized. The parties were found not living as husband and wife. Both parties genuinely settled their disputes including alimony and filed receipt. There is no possibility of reunion of parties and further waiting period amounts to prolonging agony among parties.

7. Both the petitioners appeared before Court on 06-03-2026 and filed their respective chief-affidavits. This court again tried them for re-conciliation, but both the petitioners expressed, that they are living separately since 10-09-2021, till today, and there is no possibility of re-union and their intention to live separate is not changed since their separation and even after filing this petition. Hence, both the petitioners were examined before this Court as PWs1 and 2 and Ex.P1, P2 got marked.

8. Heard the counsel for the petitioners.

9. Now the point for consideration is:

Point No.1: Whether the petitioners are entitled for the relief of dissolution of their marriage held on 03/03/2018 by way of granting divorce on mutual consent?

10. **POINT No: 1**

The petitioners No-1 and 2 got married on 03-03-2018 at B.M.R. Gardens,

Hyderabad Road, Jangaon town and District, as per the customs and traditions of Hindu marriage. Their marriage was consummated.

11. The oral evidence of PW1 and PW2 remained undisputed and the fact that both the parties are wiling to dissolve their marriage between them that took place on 03-03-2018, also remained undisputed and unchallenged. Further, it is seen that all reconciliations went in vain and there is no possibility of re-union between them. The record further reveals that, the petitioner No.1 and 2 are not living as wife and husband 10-09-2021 till today, and all the disputes and claims among them were genuinely settled as agreed between them. In view of the oral evidence of PW1 and PW2, this court is of the opinion that, the petitioners No.1 and No.2 are entitled for dissolving their marriage that took place on 03-03-2018. Accordingly, this point is answered in favour of both the petitioners.

12. In the result the petition is allowed without costs. The marriage which took place between the petitioners No. 1 and 2 on 03-03-2018 is hereby dissolved from this day i.e. on 06-03-2026 by way of court decree by mutual consent under Sec. 13-B of Hindu Marriage Act.

(Typed to my dictation by the Stenographer Grade-III, corrected and pronounced by me in the open Court on this the 06th day of March, 2026.)

Sd/-
SENIOR CIVIL JUDGE,
JANGAON

APPENDIX OF EVIDENCE
WITNESSES EXAMINED

For Petitioner:
PW.1: E.Krishna
PW.2: S.Vijaya Sree

For Respondent:
-None-

EXHIBITS MARKED

For Petitioner:

Ex.P1: is the Wedding card

Ex.P2: is the receipt dt: 06-03-2026 which is compared with the original and found correct.

For Respondent :

- Nil -

Sd/-
SENIOR CIVIL JUDGE,
JANGAON.

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SENIOR CIVIL JUDGE,
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….Petitioner No-1 & 2

And

NONE **….Respondent**

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CLAIM FOR:- This is a petition filed under section. 13-B of Hindu Marriage Act, 1955 by the Petitioner No.1 and Petitioner No.2 for dissolving of their marriage that took place on 03-03-2018.

Petition Presented on :- 24-02-2026.

Cause of action: The cause of action arose on 03-03-2018 at Jangaon town and District, since 10-09-2021 when the parties started living separately.

Court Fee and Valuation:- This petition is filed for divorce under the provisions of H.M Act and required court fee of Rs.10/- is paid herewith under article -I(vii) of schedule -II of A.P.C.F Act.

Decree: This petition came before on 06/03/2026 for final hearing in the presence of **Sri. Sreeram Srinivas, and Sri. Gajula Ravinder**; counsel for the Petitioner No-1 and Petitioner No-2 there is no respondent and this Court DOTH ORDER AND DECREE THAT: The petition is allowed without costs. The marriage which took place between the petitioners on 03-03-2018 is hereby dissolved from this day i.e., on 06-03-2026 by way court decree by mutual consent under Sec.13-B of Hindu Marriage Act.

(Given under my hand and seal of this court in this the 06th day of March, 2026.)

Sd/-
SENIOR CIVIL JUDGE
JANGAON.

:: PARTICULARS OF COSTS ::

		For Petitioners	For Respondent
S.No	Particulars	Rs.Ps.	Rs.Ps.
1	Stamps on Petition		-
2	Stamps on Power		-
3	Process Fee		-
4	Stamps on exhibits		-
5	Commissioner's Fee		-
6	Pleader's Fee		-
7	Publication Charges		-
8	Miscellaneous		-
TOTAL Rs. /-.			

Sd/-
SENIOR CIVIL JUDGE
JANGAON.