IN THE COURT OF THE SENIOR CIVIL JUDGE AT JANGAON

Wednesday, this the 8th day of April, 2026

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

H.M.O.P.No.37 of 2026

Between:-

1) Jitte Rajesh Kumar, S/o: J. Venkataiah, Aged about 30 years, Occupation: Agriculture, R/o:H.No.3-79/B/3, Quilashapur village, Raghunathpally mandal, Jangaon District.

Petitioner No-1

2) Jitte @ Tupudu Shirisha, W/o. Jitte Rajesh Kumar, D/o: T. Simhadri, Age: 28 years, Occupation: Private employee, R/o:H.No.3-79/B/3, Quilashapur village, Raghunathpally mandal, Jangaon District, presently residing at Gandi Ramaram village, Narmetta mandal, Jangaon District.

….Petitioner No-2

And

NONE **….Respondent**

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This petition came before me on 08.04.2026 for final hearing in the presence of **Smt. G. Kavitha**, 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 08-05-2015.

2. The brief averments of the petition are that, the petitioners No-1 and 2 got married on 08-05-2015 at petitioner No-2 parents' house i.e., Gandi Ramaram village, Narmetta mandal, Jangaon District, as per the customs and traditions of

Hindu marriage. Their marriage was consummated, out of their wedlock no children were born.

3. The petitioners further stated that they lead marital life happily for few months only. Thereafter, due to serious differences between them, they are unable to live together, which resulted in the petitioners living separately since January, 2025 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 January, 2025 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. 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, clothes, 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. 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 08-04-2026 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 January, 2025, 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 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 08/05/2015 by way of granting divorce on mutual consent?

10. **POINT No: 1**

The petitioners No-1 and 2 got married on 08-05-2015 at petitioner No-2 parents' house i.e., Gandi Ramaram village, Narmetta mandal, Jangaon District, as per the customs and traditions of Hindu marriage. Their marriage was consummated, out of their wedlock no children were born.

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 08-05-2015, 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 from January, 2025 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 08-05-2015. 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 08-05-2015 is hereby dissolved from this day i.e. on 08-04-2026 by way of court decree by mutual consent under Sec. 13-B of Hindu Marriage Act.

(Typed to my dictation by the Stenographer Grade-I, corrected and pronounced by me in the open Court on this the **8th day of April, 2026.**)

Sd/-xxxxxx
SENIOR CIVIL JUDGE,
JANGAON

APPENDIX OF EVIDENCE
WITNESSES EXAMINED

For Petitioner:
PW.1: Jitte Rajesh Kumar
PW.2: Jitte @ Tuppudu Shirisha

For Respondent:
-None-

EXHIBITS MARKED

For Petitioner:
Ex.P1: Wedding card

For Respondent :
- Nil -

Sd/-xxxxxx
SENIOR CIVIL JUDGE,
JANGAON.

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