

**HIGH COURT OF TRIPURA  
AGARTALA**

**Mat.App 09 of 2024**

**Smt. Babita Das @ Bhagwati Das**

**--- Appellant(s)**

**Versus**

**Sri Ranjit Das**

**--- Respondent(s)**

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|------------------------------------------------|---|----------------------------------|
| For Appellant (s)                              | : | Mr. R. G. Chakraborty, Advocate. |
| For Respondent(s)                              | : | Mr. S. Chowdhury, Advocate.      |
| Date of hearing and date of Judgment and order | : | 03.12.2024                       |
| Whether fit for reporting                      | : | No                               |

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**HON'BLE MR. JUSTICE T. AMARNATH GOUD  
HON'BLE MR. JUSTICE BISWAJIT PALIT**

**Judgment & Order**

*(T. Amarnath Goud, J)*

Heard learned counsel for the parties.

[2] This is an appeal under Section-28 of Hindu Marriage Act, 1955 read with Section 19(1) of the Family Courts Act, 1984 against the Judgement and Decree dated 03-04-2023 and 05-04- 2023 respectively passed by the Learned Addl. Judge, Family Court, Agartala, West Tripura in Title Suit (Divorce) No.100 of 2019 allowing the divorce suit of the husband.

[3] The facts leading to this Case, in brief, is that marriage of the respondent was solemnized with the appellant on 10.12.2000 as per Hindu rites and Customs in the house of the wife appellant in presence of parents of both the parties, friends and relatives. After marriage both the husband respondent and the wife appellant started leading their conjugal life under the same roof at Gandacherra under Dhalai District. It is stated that during the wedlock the wife respondent gave birth two children i.e. one boy and a girl who are now aged about 15 years and 14 years respectively. From the day of the marriage there were huge differences on vies and thoughts of each other rather the husband respondent found the temperaments and ways of life of the wife appellant were

different and in spite of best efforts there was such incompatibility of temperaments that there were constant quarrels between them and the life of the husband became unbearable. Friends and relatives of both the appellant and respondent also tried to intervene but their efforts for reconciliation was proved abortive. The appellant being so desperate on 07-03- 2013 filed a false complaint against the husband respondent and her in-laws stating that she was brutally treated by her husband and in- laws on demand of money. Moreover suspected that the husband having other affairs with a woman. The complaint was lodged at Gandacherra PS. The same ejahar was registered vide No. PRC 152 of 13 (GR-192 of 2013) and the husband respondent along with his old parents were implicated and booked u/s 498A. The respondent was arrested and after contesting the case vide No. GR 192/2013 the court of SDJM, Kamalpur, North Tripura by pronouncing the judgment on 05-06-2014 acquitted three accused persons i.e. the husband Petitioner, Smt. Kusum Rani Das (mother-in-law), Smt. Rupali Das.

[4] Having no alternative, the respondent husband filed a petition for divorce before learned court below and the learned court below allowed his plea. Being aggrieved by the impugned order dated 03-04-2023 the appellant wife has approached before this court.

[5] On the contrary, Mr. S. Chowdhury, learned counsel appearing for the respondent-husband has contended before this court that the judgment and decree as passed by the learned court below is just and proper and needs no interference from this court.

[6] Based on the argument as advanced by the learned counsel for the parties, it appears to this court that the husband and wife are not in a position to lead their conjugal life any further. So what remains as a solitary solution to put an end to this litigation is to grant a divorce. Now when the divorce is granted, the future of the appellant wife, who is not a working lady, will be not as same as it would be with the

support of her husband. It is seen from the record that the appellant-wife is not a working lady and her expenses have to be borne by the respondent-husband. Having considered the future of the appellant-wife, the respondent-husband shall pay a lump sum amount for her better and secured future. Though the marriage has already been dissolved but this court, having no alternative and for the better future of the appellant-wife, directs the respondent-husband to pay a sum of Rs.8,00,000/- (Rupees Eight lakh) as permanent alimony in four equal installment. Hence, the appellant and respondent are no longer legally married husband and wife and their marriage stands dissolved. It is made also clear that the both the parties shall withdraw all the cases pending, if any, against each other pending before different forum with immediate effect.

[7] With the above observation, the appeal stands disposed of. As a sequel, stay, if any, stands vacated. Pending application(s), if any, also stands closed. Send back the LCRs forthwith.

**B.Palit, J**

**T. Amarnath Goud, J**

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