

**HIGH COURT OF TRIPURA
AGARTALA
MAT. APP. NO.15 OF 2024**

Smt. Madhurima Bhattacharjee.

..... Appellant(s)

Versus

Sri Ramendra Kishore Bhattacharjee

.....Respondent(s)

For the Appellant(s) : Mr. Raju Datta, Advocate.
Mr. K. Pandey, Advocate.

For the Respondent(s) : Mr. P. Roy Barman, Sr. Advocate.
Mr. S. Bhattacharjee, Advocate.

Date of hearing and delivery of
Judgment & Order : 08.04.2025

Whether fit for reporting : No..

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

J U D G M E N T & O R D E R (O R A L)

(T. AMARNATH GOUD, J)

This appeal under Section 28 of the Hindu Marriage Act, 1955 read with Section 19 of the Family Courts Act, 1984 is directed against the Judgment and Decree dated 13.02.2024 passed by the Learned Judge, Family Court, Agartala, West Tripura District in TS (Divorce) No. 396 of 2021, whereby the marriage between the appellant-wife and the respondent-husband was dissolved by a decree of divorce under Section 13(1)(ia) and (ib) of the Hindu

Marriage Act, 1955. The respondent-husband had filed the suit seeking dissolution of marriage under the Hindu Marriage Act, 1955 on the grounds of cruelty and desertion. After hearing both parties and considering the evidence on record, the Learned Judge allowed the petition and granted a decree of divorce dissolving the marriage between the parties. Aggrieved thereby, the appellant-wife has preferred the present appeal.

2. Heard Mr. R. Datta, learned counsel appearing for the appellant-wife, and Mr. P. Roy Barman, learned senior counsel, assisted by Mr. S. Bhattacharjee, learned counsel appearing for the respondent-husband. In terms of the order dated 02.04.2025, both parties are personally present before the Court today.

3. On a query from the Court, the respondent-husband expressed his utmost disinterest in living together with the appellant-wife. He stated that he had given her several chances, but she continued to harass him both during their cohabitation and through litigation, which even implicated his 90-year-old mother. He affirmed that it is impossible for him to resume conjugal life with the appellant-wife. On the other hand, the appellant-wife showed interest in resuming conjugal life with the respondent-husband.

4. Heard and perused the record.

5. This Court is of the view that it is not possible to compel the respondent-husband to resume conjugal life with the appellant-wife in the face of such strong resistance. Further, upon being queried by the Court, the appellant-wife expressed her willingness to consent to divorce in exchange for permanent alimony of Rs.15 lakhs.

6. Considering the above circumstances and the employment status of the respondent-husband, this Court confirms the divorce granted by the Court below, with a permanent alimony of Rs. 9 lakhs, to be paid in three (3) installments: the 1st in May, 2025, the 2nd in June, 2025, and the 3rd in July 2025 by the respondent-husband to the appellant-wife herein. Upon payment of the said installments, all claims of monthly maintenance shall stand settled and closed.

7. With the above observations, the present appeal stands disposed of. Any interim stay stands vacated. Pending application(s), if any, also stand closed.

B. PALIT, J

T. AMARNATH GOUD, J

Suhanjit

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