CGHC010019882023

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

Judgment reserved on 01/07/2026
Judgment delivered on 09 /10/2026
Judgment uploaded on 12 /10/2026

FA(MAT) No. 16 of 2023

Mitesh Panigrahi S/o Late Shyamsunder Panigrahi, aged about 36 years R/o Near Mahadevghatpara, Jagdalpur, District Bastar (C.G.)

... Appellant

versus

Smt. Vedmati @ Mamta D/o Permanand Joshi Aged About 32 Years R/o Nayapara, Aasna, District Bastar (C.G.)

... Respondent

For Appellant	:	Shri Pushpendra Patel, Advocate
For Respondent	:	Shri Pravin Kumar Tulsiyan, Advocate

DB : Hon'ble Shri Justice Parth Prateem Sahu
Hon'ble Shri Justice Sachin Singh Rajput

C A V JUDGMENT

Per Sachin Singh Rajput, J.

The parties would be referred to as the appellant/husband and the respondent/wife.

2. The appellant/husband has filed this appeal assailing the judgment and decree dated 10.12.2022 passed by Family Court, Jagdalpur District-Bastar (CG) (hereinafter referred to as 'Family Court') in Civil Suit No.57-A/2018

whereby the application filed by the appellant/husband under Section 13 (1)(i-a) of the Hindu Marriage Act, 1955 (for short 'the Act of 1955') for a decree of divorce was rejected.

3. The facts of the present case in a nutshell are that a suit under Sections 13 (1)(i-a) of the Hindu Marriage Act, 1955 was filed by the appellant/husband against the respondent/wife seeking dissolution of marriage by way of decree of divorce on the ground of mental cruelty and harassment meted out by the respondent/wife to the appellant/husband. As per pleadings made in the application, marriage between the parties was solemnized on 18.06.2017 as per Hindu rites and rituals. They are not blessed with any child and the wife is not pregnant at present. It is further case of the appellant/husband that at the time of marriage, the respondent/wife's family was informed about his limited income by running a very small rented electronics shop. Before marriage, the appellant/husband was not given an opportunity to see or meet the respondent/wife. The appellant/husband had gone to village Asana in connection with a marriage, where the appellant/husband was shown the respondent-wife for a short time very quickly and immediately after a few days, the engagement ceremony was performed on 14.05.2017. On the date of engagement, when the appellant/husband met with the respondent/wife for the first time after getting a few moments of privacy, the respondent/wife surprised the appellant/husband by slapping him, but the appellant/husband remained silent due to his family honour and respect when the family members of the respondent/wife asked their willingness for a near date for marriage, it caused suspicion to the appellant/husband, however, just for the request of the family member he was quiet and agreed for marriage thus, the marriage was solemnized on 08.06.2017. After coming to the residence of

appellant/husband, the appellant/husband became aware of the respondent/wife's mental instability, mental deviation, and mental imbalance, which made him feel deceived, however, the appellant/husband, accepting it as his destiny, made efforts from his side to accept the respondent/wife and start his marital life with her completely and made every possible adjustment from his side, but due to stubbornness, obstinacy and the fierceness of respondent's nature, she used to abuse, beat and humiliate the appellant/husband, due to which, the appellant/husband was not able to lead a normal life. Further pleading made in the application reflects that from the very beginning, the behavior of respondent towards him changed day by day and she became suspicion towards the appellant/husband and started displaying towards the appellant/husband became rude and harsh and due to the negative feelings towards him, due to his low income and not being able to fulfill the high demands of the respondent/wife, she used to harass the applicant by calling him a beggar, a person without status, used to humiliate and insult the applicant, by changing her feelings towards the appellant completely. After coming back from the duty/work, the respondent/wife used to taunt by unpleasant words affecting his self respect and some times refused to open the door and was given mental agony to him by calling him characterless and doubting his character. She was publicly humiliated him by calling him "characterless". She was not giving food and refreshment to him and by this caused mental cruelty and always in public used to tell the other female personal "not to enter the house" she sometime become violent and start assaulting the husband causing injury to him. She used to ask the husband not to live with his mother and always demanded to live separately after taking partition. She could not have any cordial relationship with the family members of the husband and she is very self centered lady and used

to ill treat the family members of the appellant/husband. She never gave respect and have quarreled with the appellant/husband and with his old aged mother. After she became pregnant, she was taken by her mother to her matrimonial house and then sent information to him that she aborted her pregnancy, which has caused mental agony to him. The respondent -wife resided in the second floor of the house, where every day, the she used to threaten to commit suicide by jumping from the roof, hanged herself or consuming poison. In the night, she used to suddenly wanted to go to her paternal home and without any consent, had left 15 times for a period of 14 days. It has further been pleaded that after leaving the house of the appellant/husband along with articles and Stridhan ornaments etc. She had gone to her paternal house and was residing therein. She always used to say that she does not like the children and cannot bear the labour pain and in any case, requires the child, she will adopt a child. She used to avoid cohabitation with the appellant/husband and never allowed the husband to live peacefully. In the night used to pour water upon him and remove the bed-sheet, which has caused mental cruelty to him, as a result thereof, his business was adversely affected and ultimately it was shut down and he became unemployed. By different deeds, she used to trouble the appellant/husband, as a result of which, preventing him from leading a normal life.

4. On a written complaint made by the father of the respondent/wife, a social meeting was convened, in which, false allegations were levelled against appellant/husband and his mother that they were treated badly. As the respondent/wife has treated the appellant/husband with cruelty causing mental agony, the application under Section 13 (i-a) of the Act, 1955 was filed seeking dissolution of marriage by way of decree of divorce on the ground of cruelty made by the respondent/wife after the marriage.

5. Reply to the aforesaid application was filed by the respondent/wife denying the averments and the allegations levelled against her pleading *inter alia* that appellant/husband was residing with her in-laws house in the first floor and she was not given proper food. She was not allowed to enter into the other rooms and the goods and article given by her parents are locked in another room and she was forced to live her life in one room. Her parents are making arrangements for her proper food. She also prayed that all the articles are handed over to her and also permitted to move another rooms also. The articles given at the time of marriage is around of Rs. 4 lacs, which has not been allowed to use by her. The appellant/husband is an agriculturists and three to four blocks of his house were given on rent and from which he is receiving Rs. 20 to 30 thousand per month. Monthly income of the appellant/husband is more than Rs. 50,000/- per month and thus, prayed for Rs. 20,000/- as maintenance from him and prayed for dismissal of the application.

6. On the basis of above broad pleadings, the learned Family Court has framed following issues, which reads thus:

Sr. No.	Issues	Conclusion
1.	Whether the appellant and his family been subjected to cruelty by the respondent/wife?	Not proved.
2.	Whether after the marriage, the appellant/husband compelled the respondent/wife to reside in a room on the first floor of his house situated on Mahadev Ghat Para and failed to make adequate arrangements for her food and other basic necessities?	Not proved.
3.	Whether the appellant/husband is	No

	entitled to get a decree of divorce against the respondent/wife?	

7. The respective parties led their evidence to prove their respective pleadings.

8. After assessment of the material available on record, the learned Family Court decided the issues against the husband and ultimately dismissed the application, which led to filing of this appeal.

9. Mr. Pushpendra Kumar Patel, learned counsel for the appellant/husband submits that the impugnment judgment and decree is illegal erroneous and contrary to the facts and circumstances of the material available on record. He further submits that appellant/husband has duly proved the cruelty made by the wife by leading cogent and prudent evidence and the same has not been properly appreciated by the learned Family Court. It has been further submitted that from the evidence of the appellant/husband and his witnesses, it is established that the respondent/wife has treated the appellant/husband with mental and physical cruelty, but the learned Family Court committed an error of law as well as fact in holding that the appellant/husband could not establish cruelty made by the respondent/wife. Thus, he submits that the impugned judgment and decree deserves to be set aside and the appeal may be allowed and decree may be granted in favour of the appellant/husband.

10. Per contra, Mr. Tulsiyan, learned counsel appearing for respondent/wife supported the impugned judgment and decree and submits that the learned Family Court has rightly appreciated the evidence available on record and came to the conclusion that the appellant/husband could not establish the

mental and physical cruelty against the respondent/wife. The finding so recorded on all the issues so framed was based on proper appreciation of evidence available on record, which does not call for any interference.

11. We have heard learned counsel for parties and perused the documents placed on record.

12. The marriage between the parties was solemnized on 08.06.2017 according to Hindu rites and customs. No child was born out of the wedlock. The appellant/husband was running a small electronic shop and his financial condition had already been disclosed to the family of the respondent/wife before the marriage.

13. The case of the appellant/husband is that the matrimonial relationship became strained almost from its inception. According to him, the respondent/wife insisted upon a separate residence, frequently quarrelled with him, used insulting and abusive language, suspected his character, objected to his late arrival at home and, on certain occasions, physically assaulted him. He has further alleged that she extended threats of suicide whenever her demands were not accepted and repeatedly insisted that he should separate himself from his mother and other family members.

14. PW-1 Mitesh Panigrahi (Appellant/husband) deposed in his examination-in-chief regarding the alleged matrimonial discord, demand for separate residence, abusive conduct of the respondent/wife and also leaving the matrimonial home after termination of pregnancy. He also relied upon various complaints and documents marked as Ex. P-1 to P-12. In his cross-examination, he admitted that no medical document relating to the alleged termination of pregnancy had been produced and that no action had been taken by the police on his complaints. He further stated that the

respondent/wife was willing to return, but he was not willing to resume cohabitation with her.

15. PW-2 Smt. Shakuntala Panigrahi mother of the appellant/husband supported the version of the appellant.

16. PW-3 Smt. Sapna Mishra deposed that she had been residing as a tenant in the house of the Appellant's mother and had attended the marriage of the parties. She supported the allegation that disputes arose between the parties on the issue of separate residence and that the respondent/wife subsequently left the matrimonial home. In cross-examination, however, she admitted that she had not made any statement regarding the alleged quarrels before the police and that the said facts were being stated by her before the Court for the first time.

17. DW-1 Smt. Vedmati Panigrahi (respondent/wife) denied the allegations of cruelty and desertion made against her and attributed the matrimonial discord to the conduct of the appellant/husband and his family members. She stated that she had been subjected to harassment and dowry-related ill-treatment and that her pregnancy had been terminated on medical advice after the foetus was found to be abnormal/non-viable. She further stated that she was willing to resume matrimonial life with the appellant/husband. In cross-examination, she admitted that she had not produced any medical document relating to the alleged termination of pregnancy or the complaints made before the Counselling Centre and Women's Cell.

18. DW-2 Smt. Jogendri Panigrahi the maternal grandmother of the respondent/wife supported her case and alleged that the mother of the appellant/husband and other family members had driven both daughters-in-law out of the matrimonial home. She further alleged that the family members were responsible for the matrimonial discord and intended to arrange another

marriage for the appellant/husband.

19. DW-3 Shri Shankar Thakur supported the allegations of the respondent/wife regarding harassment at her matrimonial home. He stated that the respondent/wife had narrated her grievances to him and that he had subsequently came to know that she had been driven out of the matrimonial home. In cross-examination, he admitted that no quarrel between the appellant/husband and the respondent/wife had taken place in his presence and that his deposition was based upon what had been narrated to him by the respondent/wife.

20. In order to examine the cruelty, the principles laid down by the Hon'ble Supreme Court in case of **Samar Ghosh v. Jaya Ghosh, (2007) 4 SCC 511,** would be a relevant guideline wherein the Court has indicated certain illustrative instances at para 101 whereby the inference of mental cruelty can be drawn. Para 101 reads as under :-

> **"101.** No uniform standard can ever be laid down for guidance, yet we deem it appropriate to enumerate some instances of human behaviour which may be relevant in dealing with the cases of "mental cruelty". The instances indicated in the succeeding paragraphs are only illustrative and not exhaustive:
>
> > (*i*) On consideration of complete matrimonial life of the parties, acute mental pain, agony and suffering as would not make possible for the parties to live with each other could come within the broad parameters of mental cruelty.
> >
> > (*ii*) On comprehensive appraisal of the entire matrimonial life of the parties, it becomes abundantly clear that situation is such that the wronged party cannot reasonably be asked to

put up with such conduct and continue to live with other party.

(*iii*) Mere coldness or lack of affection cannot amount to cruelty, frequent rudeness of language, petulance of manner, indifference and neglect may reach such a degree that it makes the married life for the other spouse absolutely intolerable.

(*iv*) Mental cruelty is a state of mind. The feeling of deep anguish, disappointment, frustration in one spouse caused by the conduct of other for a long time may lead to mental cruelty.

(*v*) A sustained course of abusive and humiliating treatment calculated to torture, discommode or render miserable life of the spouse.

(*vi*) Sustained unjustifiable conduct and behaviour of one spouse actually affecting physical and mental health of the other spouse. The treatment complained of and the resultant danger or apprehension must be very grave, substantial and weighty.

(*vii*) Sustained reprehensible conduct, studied neglect, indifference or total departure from the normal standard of conjugal kindness causing injury to mental health or deriving sadistic pleasure can also amount to mental cruelty.

(*viii*) The conduct must be much more than jealousy, selfishness, possessiveness, which causes unhappiness and dissatisfaction and emotional upset may not be a ground for grant of divorce on the ground of mental cruelty.

(*ix*) Mere trivial irritations, quarrels, normal wear and tear of the married life which happens in day-to-day life would not be adequate for grant of divorce on the ground of mental cruelty.

(*x*) The married life should be reviewed as a whole and a few isolated instances over a period of years will not amount to cruelty. The ill conduct must be persistent for a fairly lengthy period, where the relationship has deteriorated to an extent that because of the acts and behaviour of a spouse, the wronged party finds it extremely difficult to live with the other party any longer, may amount to mental cruelty.

(*xi*) If a husband submits himself for an operation of sterilisation without medical reasons and without the consent or knowledge of his wife and similarly, if the wife undergoes vasectomy or abortion without medical reason or without the consent or knowledge of her husband, such an act of the spouse may lead to mental cruelty.

(*xii*) Unilateral decision of refusal to have intercourse for considerable period without there being any physical incapacity or valid reason may amount to mental cruelty.

(*xiii*) Unilateral decision of either husband or wife after marriage not to have child from the marriage may amount to cruelty.

(*xiv*) Where there has been a long period of continuous separation, it may fairly be concluded that the matrimonial bond is beyond repair. The marriage becomes a fiction though supported by a legal tie. By refusing to sever

> that tie, the law in such cases, does not serve the sanctity of marriage; on the contrary, it shows scant regard for the feelings and emotions of the parties. In such like situations, it may lead to mental cruelty.

21. Further Hon'ble Supreme in case of **N.G. Dastane (Dr) v. S. Dastane, (1975) 2 SCC 326,** has considered the ground of mental cruelty and observed thus :-

> **"30.** An awareness of foreign decisions could be a useful asset in interpreting our own laws. But it has to be remembered that we have to interpret in this case a specific provision of a specific enactment, namely, Section 10(1)(*b*) of the Act. What constitutes cruelty must depend upon the terms of this statute which provides:
>
> "10. (1) Either party to a marriage, whether solemnized before or after the commencement of this Act, may present a petition to the District Court praying for a decree for judicial separation on the ground that the other party—
>
> (*b*) has treated the petitioner with such cruelty as to cause a reasonable apprehension in the mind of the petitioner that it will be harmful or injurious for the petitioner to live with the other party;"
>
> The inquiry therefore has to be whether the conduct charged as cruelty is of such a character as to cause in the mind of the petitioner a reasonable apprehension that it will be harmful or injurious for him to live with the respondent. It is not necessary, as under the English law, that the cruelty must be of such a character as to cause "danger" to life, limb or health or as to give rise to a reasonable apprehension of such a danger. Clearly, danger to life, limb or health or a reasonable apprehension of it is a higher requirement than a reasonable

apprehension that it is harmful or injurious for one spouse to live with the other.

* * * *

46. In regard to the conduct of the respondent as reflected in her admissions, two contentions raised on her behalf must be considered. It is urged in the first place that the various letters containing admissions were written by her under coercion. There is no substance in this contention. In her written statement, the respondent alleged that the appellant's parents had coerced her into writing the letters. At the trial she shifted her ground and said that the coercion proceeded from the appellant himself. That apart, at a time when the marriage had gone as under and the respondent sent to the appellant formal letters resembling a lawyer's notice, some of them by registered post, no allegation was made that the appellant or his parents had obtained written admissions from her. Attention may be drawn in this behalf to the letters Exs. 299 and 314 dated March 23 and May 6, 1961 or to the elaborate complaint Ex. 318 dated May 19, 1961 which she made to the Secretary to the Government of India, Ministry of Food and Agriculture. Prior to that, on September 23, 1960 she had drawn up a list of her complaints (Ex. 424) which begins by saying: “He has oppressed me in numerous ways like the following”. But she does not speak therein of any admission or writing having been obtained from her. Further, letters like Exs. 271 and 272 dated respectively June 23 and July 10, 1960 which besides containing admissions on her part also contain allegations against the appellant could certainly not have been obtained by coercion. Finally, considering that the respondent was always surrounded by a group of relatives who had assumed the role of marriage-counselors, it is unlikely that any attempt to coerce her into making admissions would have been allowed to escape unrecorded. After all, the group here consists of greedy letter-writers.

22. In case of **Shobha Rani v. Madhukar Reddi, (1988) 1 SCC 105,** Hon'ble Supreme Court has examined the plea of cruelty and observed that the word "cruelty" has not been defined in the Hindu Marriage Act. It has been used in Section 13(1)(*i-a*) of the Act in the context of human conduct or behaviour in relation to or in respect of matrimonial duties or obligations. It is a course of conduct of one which is adversely affecting the other. The cruelty may be mental or physical, intentional or unintentional. If it is physical, it is a question of facts. If it is mental, the enquiry must begin as to the nature of the cruel treatment and then as to the impact of such treatment on the mind of the spouse. Whether it caused reasonable apprehension that it would be harmful or injurious to live with the other, ultimately, is a matter of inference to be drawn by taking into account the nature of the conduct and its effect on the complaining spouse. There may, however, be cases where the conduct complained of itself is bad enough and *per se* unlawful or illegal. Then the impact or the injurious effect on the other spouse need not be enquired into or considered. In such cases, the cruelty will be established if the conduct itself is proved or admitted. The absence of intention should not make any difference in the case, if by ordinary sense in human affairs, the act complained of could otherwise be regarded as cruelty. Intention is not a necessary element in cruelty. The relief to the party cannot be denied on the ground that there has been no deliberate or willful ill-treatment.

23. In case of **V. Bhagat v. D. Bhagat, (1994) 1 SCC 337,** Hon'ble Supreme Court while dealing with the issue of mental cruelty has observed as under :-

> **"16.** Mental cruelty in Section 13(1)(*i-a*) can broadly be defined as that conduct which inflicts upon the other party such mental pain and

> suffering as would make it not possible for that party to live with the other. In other words, mental cruelty must be of such a nature that the parties cannot reasonably be expected to live together. The situation must be such that the wronged party cannot reasonably be asked to put up with such conduct and continue to live with the other party. It is not necessary to prove that the mental cruelty is such as to cause injury to the health of the petitioner. While arriving at such conclusion, regard must be had to the social status, educational level of the parties, the society they move in, the possibility or otherwise of the parties ever living together in case they are already living apart and all other relevant facts and circumstances which it is neither possible nor desirable to set out exhaustively. What is cruelty in one case may not amount to cruelty in another case. It is a matter to be determined in each case having regard to the facts and circumstances of that case. If it is a case of accusations and allegations, regard must also be had to the context in which they were made."

(Emphasis supplied)

24. Hon'ble Supreme Court in case of **Sonal Talpada Vs. Veerbhan Singh, in SLP (C) No. 10422 of 2024, decided on 02.06.2026** while considering the plea and the grounds raised by husband in an application filed under Section 13 (1) of the Act, 1955 of refusal of wife for establishing physical relation with her husband has observed thus -

> "19. As held in the case of Samar Ghosh (supra) and other catena of judgments by this Court, denial of conjugal rights including persistent

> refusal of sexual intercourse without a reasonable cause constitutes mental cruelty and is a valid ground for divorce under Section 13(1)(ia) of the HMA. The courts in India have repeatedly established that withholding sexual intimacy inflicts severe emotional distress and undermines the bedrock of marriage. Therefore, the conclusion of the High Court is sustained. The decree of divorce as granted by allowing the appeal of the Respondent-husband is upheld."

(Emphasis supplied)

25. Facts of this case is required to be examined in light of the aforesaid law laid down by the Hon'ble Supreme Court.

26. The appellant/husband has also alleged that the termination of the pregnancy was undertaken without his knowledge or consent and that the respondent/wife was unwilling to have children. These allegations, however, cannot be accepted merely because they have been pleaded. They have to be tested on the touchstone of the evidence available on record. PW-1 appellant/husband has supported the material allegations made by him. His testimony regarding the recurring disputes and the insistence upon separate residence receives support from PW-2 (his mother), who was residing in the same household. PW-3 and PW-4 have also spoken about the quarrels and strained relations between the parties.

27. We are conscious that PW-3 and PW-4 admitted certain omissions in their earlier statements and that some of the incidents spoken to by them were not reported to the police. Their evidence, therefore, requires due caution while considering particular incidents. Nevertheless, such omissions, by themselves, do not completely discredit their testimony regarding the matrimonial discord which they had occasion to observe. Their evidence

lends some corroboration to the case of the appellant/husband regarding the strained matrimonial relationship.

28. The respondent/wife has denied the allegations and has put forward a case of ill-treatment at the hands of the appellant and his family members. According to her, she was confined to a room, was not provided proper food and was not permitted to use the articles brought by her at the time of marriage. She has also alleged that the appellant possessed substantial rental income and that the allegations of cruelty were made only with a view to obtain a decree of divorce. The defence of the respondent/wife also requires consideration. However, the evidence of DW-2 and DW-3 does not establish any specific act of cruelty personally witnessed by them. DW-3 has expressly admitted that no quarrel between the parties took place in his presence and that his knowledge regarding the alleged ill-treatment was based substantially upon what had been narrated to him by the respondent/wife. Their evidence, therefore, has limited value insofar as the specific incidents alleged by the respondent are concerned.

29. The allegation regarding termination of pregnancy also calls for a balanced approach. The respondent/wife has stated that the pregnancy was terminated on medical advice because the foetus was abnormal and continuation of the pregnancy was said to involve danger to her life. No medical record has been produced in support of the alleged medical advice. On the other hand, the appellant/husband has also not produced any medical material to establish that the termination was medically unwarranted. In such circumstances, we would not be justified in drawing an adverse inference against the respondent/wife merely from the fact that the pregnancy was terminated. The said circumstance can, at best, be considered in the context of the overall matrimonial relationship.

30. Similarly, the allegations regarding denial of sexual relations, threats of suicide, interference with personal belongings and certain other individual acts, in the absence of sufficiently reliable and specific evidence, cannot each be treated as an independent act of cruelty. We, therefore, do not rest our conclusion upon any one of these allegations.

31. The real question is whether the conduct established from the evidence, when viewed cumulatively, amounts to cruelty. It is well settled that every quarrel, difference of opinion, incompatibility or desire for a separate residence does not constitute cruelty. The Court must consider the nature, continuity and cumulative effect of the conduct complained of and ascertain whether the matrimonial relationship has been subjected to such treatment that continuation of the relationship becomes reasonably difficult.

32. Applying the aforesaid judicial pronouncement to the facts of the present case, we find that the matrimonial discord was not confined to an isolated incident or an ordinary difference between the spouses. The evidence taken as a whole, discloses persistent disputes, repeated quarrels, serious distrust between the parties, strained relations between the respondent/wife and the appellant's family, and continued disagreement regarding the manner in which the parties were to reside. These circumstances arose soon after the marriage and ultimately resulted in the parties living separately.

33. The cumulative effect of the circumstances established on record, therefore, assumes significance. While no single circumstance, considered in isolation, may be sufficient to constitute cruelty, their combined effect demonstrates that the appellant/husband was subjected to sustained mental distress which went beyond the ordinary wear and tear of matrimonial life.

34. We are also mindful of the fact that the respondent/wife has expressed

her willingness to resume cohabitation. Such willingness is a relevant circumstance, but it cannot, by itself, obliterate conduct which has already been established from the evidence and which had caused serious and continuing matrimonial discord.

35. On an overall appreciation of the evidence, we are satisfied that the appellant/husband has established the ground of mental cruelty within the meaning of Section 13(1)(ia) of the Hindu Marriage Act, 1955. The learned Family Court, in our considered view, failed to appreciate the evidence in its proper perspective and did not examine the cumulative effect of the circumstances proved on record.

36. Consequently, the finding of the learned Family Court on the issue of cruelty cannot be sustained. The impugned judgment and decree are accordingly set aside. The appellant/husband is entitled to a decree of divorce on the ground of cruelty under Section 13(1)(ia) of the Hindu Marriage Act, 1955.

37. The appeal is accordingly **allowed**. A decree be drawn accordingly.

Sd/-

(Parth Prateem Sahu)
Judge

Sd/-

(Sachin Singh Rajput)
Judge

Ansari/amita

HIFZURRAHMAN ANSARI

Digitally signed by HIFZURRAHMAN ANSARI
Date: 2026.10.12 12:31:24 +0530