

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.C.C. No. 860 of 2000**

Rupesh Masih son of Prem Masih age 32 years resident of Tarbahar near the School of Ghodadana Bilaspur Tahsil and District Bilaspur (Chhattisgarh)

---- Petitioner**Versus**

1. Smt. Zannate Masih age 26 years wife of Rupesh Masih resident of through Father Jwellram Dipupara Tahsil and District Bilaspur (Chhattisgarh)
2. Sanjay Jonathan S/o not known age 27 years 140 Ajad Nagar Indore through Mrs. C. Jairaj C/o Keneath Masih New Oppostical Chruch Mayur Nagar Indore (M.P.)

---- Respondents

For Petitioner	: None.
For Respondent	: None.

Hon'ble Shri Deepak Gupta, Chief Justice**Hon'ble Shri Justice Goutam Bhaduri****Hon'ble Shri Justice P. Sam Koshy****Order on Board****Per Deepak Gupta, Chief Justice****12/08/2016**

1. This is a reference for confirmation of the decree for divorce passed by the Learned Firth Additional District Judge, Biaspur whereby he dissolved the marriage between the Petitioner and Respondent No.1 on the following grounds:-

(i) Cruelty because the wife had filed a false case under Section 498-A IPC against the husband and his mother.

The wife before her marriage with the Petitioner which took place on 30.12.1996, had married with Respondent No.2- Sanjay

Jonathan on 30.7.1996 and therefore, she was not entitled to perform second marriage.

(ii) Even after the marriage with the Petitioner, she was living in adultery with Respondent No.2- Sanjay Jonathan.

2. Despite service of notice, none of the parties has appeared before us.

3. We have gone through the records and according to us, the finding given by the Learned Trial Court on all the issues appeared to be correct. Therefore, the decree for divorce in Civil Suit No. 12A of 1999, dated 21.1.2000 is confirmed.

Sd/-
(Deepak Gupta)
CHIEF JUSTICE

Sd/-
(Goutam Bhaduri)
JUDGE

Sd/-
(P. Sam Koshy)
JUDGE

Anu