

HIGH COURT OF CHHATTISGARH, BILASPUR

FAM No. 132 of 2019

Ravi Kumar Sharma S/o. Kunjram Sharma, Aged about 30 years,
resident of Devrikhurd, P.S. Torwa, Tahsil Bilaspur District Bilaspur
(C.G.)

---- Appellant

Versus

Smt. Sarita Sharma W/o. Ravi Kumar Sharma Aged about 29 years,
resident of C/o. Smt. Hemlata Tiwari, Near Jyotipur Church, Pendra,
P.S. Gourela, District Bilaspur (C.G.)

---- Respondent

For the Appellant :- Ms. Pragya Pandey, Advocate
For the Respondent :- Mrs. Sarita Sharma Respondent in person.

Hon'ble Shri Justice Manindra Mohan Shrivastava
Hon'ble Smt. Justice Vimla Singh Kapoor,

Judgement on Board By
Manindra Mohan Shrivastava, J.

10.12.2019

1. Heard on application for grant of decree of divorce by mutual consent.
2. Originally this appeal was filed aggrieved by judgment and decree dated 30.09.2019 by which appellant's application for grant of decree of divorce against the respondent wife was rejected.

3. During the pendency of this appeal, the dispute of the parties was referred for mediation. The mediation center of the High Court submitted a report on 11.11.2019 that the parties have amicably settled their dispute and in the background of long standing dispute, they have mutually agreed and willing to go for divorce.
4. An application for grant of decree of divorce by mutual consent is accordingly filed before this Court by both the parties which is not only signed by them but also supported by the affidavit of the appellant.
5. This Court directed both the parties to remain present. Appellant Ravi Kumar Sharma and his wife St. Sarita Sharma both are present in the Court. They have stated that the application has been filed by them after due deliberation and without any compulsion and coercion. It is also submitted that the main operative reason for the parties to seek divorce for mutual consent is that they are residing separately since last six years and that they have taken conscious decision and reached the conclusion that now it is not possible for them to live together and only way out is to part with each other peacefully through the process of the Court.
6. After due consideration of the submission made by the partes before the Court and that both the parties are present and have moved joint application supported by the affidavit and they have specifically stated regarding acceptance of each and

every conditions stated in the order, we are inclined to grant decree of divorce by mutual consent.

7. As per clause-5 of the agreement, the demand draft of Rs. 3,20,000/- in the name of respondent Smt. Sarita Sharma (Tiwari) shall be handed over by Registrar(Judicial) and acknowledgment shall be obtained.
8. Let a decree of divorce by mutual consent be drawn.
9. The terms and conditions stated in paragraph 5 and 9 of the application shall form part of the decree.

Sd/-

Manindra Mohan Shrivastava
Judge

Sd/

Vimla Singh Kapoor
Judge