

Exh. No.13

IN THE FAMILY COURT, COURT NO.3, PUNE.
(BEFORE SWATI CHAUHAN H.H. JUDGE)

PETITION.A.NO. 17/2015

EXH.13

Shaista Shabnam

D/o Mr. Laddan Khan

W/o Mr. Waseem Akhtar

Age : 28 Years, Occu.- Service,

R/at.: Sanskruti, F-505,

Handewadi Road, Hadapsar,

Pune - 411 028

...Petitioner

Vs.

Wasim Akhtar

S/o Late Abdul Hafiz Ansari

Age - 30 Years, Occu. - Service,

R/at.: B-47/A, Joshi Colony,

Mandawali, IP Extention,

New Delhi 110 092

...Respondent

Petition u/s 34 of the Specific Relief
Act, r/w sec. 7 of the Family Court Act

JUDGMENT.

(Delivered on : 23.09.2017)

1. The petitioner has sought declaration u/sec. 34 of Specific Relief Act r/w Sec. 7 of the Family Court Act requesting to declare that her marriage solemnized with the respondent on 15.11.2011 has been dissolved according to the Muslim custom and tradition by executing Mubaratnama dated

13.07.2015.

It is the contention of the petitioner that her marriage was solemnized with the respondent according to the Muslim custom and tradition on 15.11.2011. The said marriage was registered with Registrar of Marriage at Korba. The copy of nikahanama is filed below Exh.3. It is the contention of the petitioner that there are no children out of this wedlock. She further submitted that since 01.02.2015 she and the respondent have been residing separately and there was no point in ~~dragging~~ their marital relation any further. The petitioner and the respondent realized that it is not possible for them to cohabit. The petitioner and the respondent therefore, mutually consented for talaknama. On 13.07.2015 in presence of two witnesses Jawed Shaikh and Akbar Bashir Shaikh they agreed to take divorce by executing mubaratnama thereby dissolving their marriage. The petitioner has waived her right of past, present and future maintenance. The copy of the original talaknama/mubaratnama is filed below Exh.3.

2. The parties were sent to Marriage Counselor. The report of the Marriage Counselor Exh.9 reveals that the parties have mutually dissolved their marriage by executing mubaratnama and are willing for a declaration from court. The affidavit of the petitioner Exh.10 supports her pleading. The respondent also filed his affidavit at Exh.11, thereby giving admission to all the contention of the petitioner. Vide Exh.11, the respondent deposed that on 13.07.2015 in presence of two witnesses he and the respondent have dissolved their marriage by way of ~~M~~mubaratnama. The respondent deposed that he gives admission for the declaration that by way of mubaratnama his marriage dated 15.11.2011 was dissolved on 13.07.2015.



3. In view of all the above said circumstances it appears that, the petitioner and the respondent both have mutually and voluntarily dissolved their marriage on 13.07.2015 by way of executing mubaratnama in accordance with the Muslim custom and tradition.

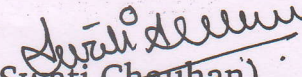
Hence, I proceed to pass the following order :

ORDER

1. It is hereby declared that vide mubaratnama dated 13.07.2015 the marriage between the petitioner and the respondent is dissolved as per Muslim custom and tradition.
2. Decree be drawn accordingly.



Pune.

Date. 23.09.2017


(Swati Chauhan),


Judge, Family Court No.3, Pune



Typed By... 
Compared by... 



TRUE COPY


Superintendent
Family Court Pune