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**COURT NOTICE
(U/o 5 Rule 20 CPC)**

**IN THE COURT OF Sh. Jasbir Singh Kundu
Principal Judge, Family Court Sirsa**

**Next Date, Purpose of case, Orders and Judgments as well as other
case information is available on <http://ecourts.gov.in>**

**JYOTI VERMA w/o Sandeep Kumar s/o Raj Kumar and d/o Darshan Lal R/o Mohalla Ther
Sirsa**

Petitioner

Vs.

**SANDEEP KUMAR SONI s/o RAJ KUMAR SONI
R/o BIGHAR ROAD, RAJIV COLONY, FATEHABAD TEHSIL AND DISTT. FATEHABAD**

Respondent

**Petition u/s 13 of HMA for dissolution of the
marriage by granting decree of divorce in
favour of petitioner.**

HMA-434-2018

CNR No. HRSI01-005028-2018

Next Date:- 06-01-2020

PUBLICATION ISSUED TO:

**SANDEEP KUMAR SONI
Son :-RAJ KUMAR SONI
R/o BIGHAR ROAD, RAJIV COLONY, FATEHABAD TEHSIL AND DISTT.
FATEHABAD
2nd Address Verma Radiator Works, Shop No. 122, Auto Market, Fatehabad Mob
No. 86072-66536**

To,


The Manager
Daily Aashiyana



Whereas it has been proved to the satisfaction of the Court that the defendant(s)/respondent(s) above named cannot be served in the ordinary way of service. Hence, this proclamation **under order 5 Rule 20 CPC** is hereby issued against him/them and should appear personally or through their counsel on **06-01-2020 at 10:00 a.m.**

Take notice that, in default of his/their appearance on the day before mentioned, the above said case will be heard and determined in his/their absence according to law.

Given under my hand and the seal of the Court, this **21-11-2019**.


**Jasbir Singh Kundu
Principal Judge, Family Court
Sirsa**

IN THE COURT OF DISTRICT JUDGE SIRSA.

Jyoti aged about 38 years wife of Shri Sandeep Kumar son of Shri Raj Kumar (daughter of Shri Darshan Pal) resident of Mohalla Ther Sirsa, Tehsil and District Sirsa.

--Petitioner

Versus

Sandeep Kumar Soni son of Shri Raj Kumar Soni resident of Bighar Road, Rajiv Colony, Fatehabad Tehsil and District Fatehabad and 2nd Address: Welding Shop, Near Petrol Pump, Bighar Road, Fatehabad.

--Respondent

PETITION UNDER SECTION 13 OF HINDU MARRIAGE ACT, 1955 (As amended up to date) for dissolution of the marriage, between the parties by granting a decree of divorce in favour of the petitioner and against the respondent.

Sir,

The petitioner respectfully submits as under:-

- 1- That the marriage of petitioner was solemnized with the respondent in the year 2002 according to Hindu rites and ceremonies at the parental house of the petitioner at Sirsa. An affidavit to this effect duly attested is being attached herewith.
- 2- That the status and place of residence of the parties, before the marriage and at the time of the filling of the petition were and are as under:-

	<u>Husband</u>		<u>wife</u>	
	Status	place of Residence	status	place of residence
Before marriage	Hindu (Bachelor)	Fatehabad	Hindu Spinster	Sirsa
At the time of filling the petition.	Hindu Married	--Do--	Hindu Married	--Do--

- 3- That in this marriage, the parents and other relatives of the petitioner had spent Rs.2 Lac according to their status and capacity and had given golden and silver ornaments, Furniture, Beddings, Utensils and other necessary household articles to the respondent and his family members holding the same to be the Istridhan of the petitioner and requested them to provide the same to the petitioner time to time as per her requirement.

- 4- That after the marriage, the petitioner started living with the respondent at her in laws at Fatehabad and co-habited with each other. The petitioner started performing duties of a wife. The petitioner gave birth to two children namely Sumit (son) and Kirti (daughter) who are now living with the petitioner.
- 5- That after some time of the marriage, the respondent and his family members started passing taunting remarks towards the petitioner for bringing inadequate dowry and taunted her that her parents have lowered down their prestige by giving inadequate dowry. They started pressuring her to bring more dowry from her parents in the shape of one new motor cycle and gold ornaments for the mother and father in law of the petitioner. The petitioner came to know that the respondent is a person of quarrelsome nature. He often used to become annoyed on every petty matter. His language always remained abusive and derogatory. His behaviour and attitude towards the petitioner was very much cruel and inhuman. He used to misbehave and insult the petitioner even in the presence of relatives and friends etc. The petitioner has been living and tolerating the cruelties committed upon her by the respondent with the hope that a day would come when good sense would be prevailed to him but that day never had come rather the cruelties have been increased day by day. There was no change in the behaviour and attitude of the respondent. The respondent used to remain under the influence of liquor and also used to take other narcotic substances. He used to waste most of his income in fulfilling his such bad habits. On being protested by the petitioner for not wasting the income in such bad habits, the respondent used to maltreat the petitioner merciless and threatened her that she has got no right to interfere in his life. There was no care in the eyes of the respondent towards the petitioner and her children. He treated the petitioner as a servant. The petitioner at her own level tried to make the respondent understand. The respondent did not give even a little part of his income to the petitioner to maintain and to bear the house hold expenses. The life of the petitioner had become a hell. It is necessary to mention here that at the time of delivery of first child of the petitioner, the respondent and his family members ousted her from their house after giving beatings to her. The parents of the petitioner convened Panchayat but of no effect. Thereafter the father of the petitioner gave some articles and Rs.10000/- in cash to the respondent and his family members and sent the petitioner to her matrimonial house. Again at the time of delivery of the second child, the respondent and his family members ousted her from their house at which the parents of the petitioner moved an application to the Superintendent of Police Sirsa whereupon the respondent and his family

members promised to keep and maintain the petitioner and her children with all love and affection but even then they did not mend their attitude. They started maltreating the petitioner. In the year 2006 on Raksha Bandhan Festival, the respondent and his family members raised a demand of Rs.20000/- from the petitioner and on her refusal, the respondent and his family members feeling annoyed turned her out by giving merciless beatings along with the minor children and since then they are residing with the parents of the petitioner at Sirsa. Thereafter the petitioner got lodged a criminal case FIR no.1007 against the respondent and others under section 498-A/406/506/34 IPC in police Station City Sirsa. Further on 17-07-2007 the petitioner instituted a petition under section 125 Cr.P.C. against the respondent in the court at Sirsa. The respondent initially appeared in the court through his counsel but lateron he remained absent from the court and was proceeded against exparte vide order dated 10-12-2009. Lateron the petition filed by the petitioner has been exparte decided by the court of Shri Tayyab Hussain, the then Judicial Magistrate 1st Class, Sirsa vide its order dated 04-12-2012 vide which the respondent was directed to pay a sum of Rs.1800/- per month to the petitioners.

- 6- That after the petitioner was thrown out of the house by the respondent and his family members, the family of the petitioner convened Panchayats of neighbours and the respectable members of the colony including Surender Soni, Pushpa Rani and others. All the members made the respondent understand but of no use. In this way, the petitioner has been treated by the respondent with utmost cruelty and thrown the petitioner out from the house with the threat that there is no place for her in his house and in case she tried to enter in his house. The petitioner never spent even a single day happily while her stay with the respondent. It seems impossible for the petitioner to live with the respondent and thus the petitioner has left with no other alternative but to file the present petition.
- 7- That since the last more than 10 years the petitioner along with her children has been living separately from the respondent and he is not ready to keep and maintain the petitioner with him in any manner. The petitioner has been making efforts for reconciliation but it is the respondent who is not ready for reconciliation.
- 8- That facts and circumstances mentioned above clearly highlight the cruel nature and inhuman behaviour of the respondent. It also makes it clear that the respondent committed physical and mental cruelties upon the petitioner. The respondent has deserted the petitioner. The petitioner has got no value in the

eyes of the respondent. The respondent never considered the value of a life partner nor he ever even tried to consider the same. In view of the same, it has become very much impossible for the petitioner to live with the respondent under one roof as there is every apprehension of the death of the petitioner at the hands of the respondent during her further stay with him. The respondent has created compelling circumstances out of which the petitioner finding no other way is instituting the present petition.

- 9- That now there are no chances of reconciliation. The petitioner is not ready at all to condoned the cruelty at any manner, hence this petition.
- 10- That there is no other ground why the relief should not be granted to the petitioner.
- 11- That the present petition is not been filed in collusion with the respondent.
- 12- That there is no litigation relating to same subject matter is pending or has been earlier decided by any other court of law.
- 13- That the marriage between the parties to the present petition was solemnized at Sirsa and petitioner along with his children is living at Sirsa, hence this Hon'ble Court has got the jurisdiction to try and entertain the present petition.
- 14- That the prescribed court fee of Rs.25/- is hereby affixed on this petition.

Hence, it is, therefore, prayed that the present petition of the petitioner may kindly be accepted with costs and the decree of divorce under the facts and circumstances mentioned above, under the provisions of section 13 of Hindu Marriage Act, 1955 may pleased be passed in favour of the petitioner and against the respondent, in the interest of justice.

Sirsa/

Submitted By:-

Jyoti wife of Shri Sandeep Kumar son of Shri Raj Kumar
(daughter of Shri Darshan Pal) resident of Mohalla, Ther
Sirsa, Tehsil and District Sirsa.

THROUGH AMIT KUMAR SONI ADVOCATE SIRSA.

VERIFICATION:

Verified that all the contents of the above petition are true and correct to the best of my personal knowledge and belief and nothing has been concealed therein.

Verified at Sirsa on _____