

DISSOLUTION OF MARRIAGE: The same laws according to which the marriage was solemnized govern dissolution of marriages, and the rights consequent to the dissolution.

The Indian Divorce, Act Special Marriage Act, the Parsi Marriage and Divorce Act and the Hindu Marriage Act, provide for annulment of the marriage, since its very inception, on grounds such as the non-fulfilment of mandatory conditions.. The Indian Divorce act requires confirmation by the High Court to come into effect.

The acts also prescribe that marriages may be annulled by decree if a party willfully refuses to consummate the marriage, or if the wife was pregnant by a person other than the husband at the time of marriage, or if the consent of the parties was procured by coercion or fraud. I have received queries whether this would cover situations of 'pressure' and 'emotional blackmail' from parents. It would depend on the circumstances. But I doubt the court would accept such a ground if the party was an educated, employed adult and who was otherwise socially independent. Social and religious circumstances surrounding marriage in India do give rise to situations such as these where persons consider themselves bound by parental approval or decisions.

All Indian personal laws have provided for grounds for divorce. Some common grounds of divorce are:

GROUND ON WHICH MARRIAGE CAN BE DISSOLVED:

1. Adultery
2. Cruelty
3. Desertion and failure to maintain
4. Conversion to another religion
5. Incurable mental disorder
6. Incurable mental disorder which may result in abnormally aggressive or irresponsible behaviour
7. Virulent and incurable leprosy, or communicable venereal disease not contracted from the party filing the application.
8. Renunciation of worldly life.

The parties may decide to seek divorce by mutual consent, having decided that they do not want to live together. In such a petition, they need not disclose their reasons for making such a decision.

Muslim personal law also grants several options for the husband to seek divorce without approaching the court. The wife would be entitled to maintenance and dower and also to appeal the divorce in court.

JURISDICTION FOR FILLING OF PETITION FOR DIVORCE

1. a court capable of entertaining matrimonial cases
2. a court that has territorial jurisdiction over the place of marriage, the place where the couple last resided together, and the place where the respondent spouse currently resides. If the respondent resides abroad, then the petition can also be filed in India the place

of residence of the petitioner.

3. For the decree to be valid, the court must apply the law under which the marriage was solemnized. Leges divorce lawyers are regularly drafting, filing and contesting the divorce petition on behalf of girl side and or boy side in all courts in India. we regularly appearing in Kolkata, Chandigarh, Himachal ,Delhi, New Delhi, Bombay or Mumbai,Chennai,Banglore ,lucknow and many more.

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