

Divorce Act, 1869

Section 10A - Dissolution of Marriage by Mutual Consent

1[10A . Dissolution of marriage by mutual consent

(1) Subject to the provisions of this Act and the rules made thereunder, a petition for dissolution of marriage may be presented to the District Court by both the parties to a marriage together, whether such marriage was solemnized before or after the commencement²of the Indian Divorce (Amendment) Act, 2001 , on the ground that they have been living separately for a period of two years or more, that they have not been able to live together and they have mutually agreed that the marriage should be dissolved.

(2) On the motion of both the parties made not earlier than six months after the date of presentation of the petition referred to in sub-section (1) and not later than eighteen months after the said date, if the petition is not withdrawn by both the parties in the meantime, the Court shall, on being satisfied, after hearing the parties and making such inquiry, as it thinks fit, that a marriage has been solemnized and that the averments in the petition are true, pass a decree declaring the marriage to be dissolved with effect from the date of decree."]

1. Inserted by Act 51 of 2001, section 6, (w.e.f. 3-10-2001).

2. 3rd October, 2001.