

Parmeshwar Alias Premsukh Vs. Smt. Vimla W/O Parmeshwar Soni

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Court : Rajasthan

Decided On : Feb-06-1987

Reported in : 1987(1)WLN224

Judge : Navin Chandra Sharma, J.

Appeal No. : S.B. Civil Misc. Appeal No. 194 of 1986

Appellant : Parmeshwar Alias Premsukh

Respondent : Smt. Vimla W/O Parmeshwar Soni

Advocate for Pet/Ap. : Mr. P.C. Mathur

Disposition : Appeal dismissed

Judgement :

Navin Chandra Sharma, J.

1. I have heard Mr. P.C. Mathur learned Counsel for the appellant in this appeal.
2. So far as the first name of the appellant as Parmeshwar in concerned, it can very well suit a Hindu lady who treats her husband not less that, but his second name Prem Sukh is deceptive. As a matter of fact, neither the appellant had godly qualities nor he can impart happiness by love and affection towards his wife Smt. Vimla. He contends his wife as suffering from mental disorder and insanity despite

the fact that Smt. Vimla appeared in Court on various dates to oppose such a cruel husband. It could not be denied by PW 2 Murli Manohar, PW 3 Manmohan, PW 4 Parasaram, PW 5 Dualal Katta PW 6 Smt. Santosh and PW 7 Rameshwar that they were not witnesses any sign of insanity of mental disorder in Smt. Vimla. She had on her forehead the red round symbol of being solemnly married wife. She was dressed properly and was not bare footed. She did not appear either to the witnesses or to the Court as suffering from any mental disorder. Here is a husband who never cared to supply or apply medical care to Smt. Vimla when she suffered from jaundice while she was pregnant from her second child to be born. At the time of distress in 1980, she had to go to her parent's house who had given her berth for her treatment from jaundice. Here is a husband who separated the child of Smt. Vimla from her while the child was only one year old.

3. I am of the considered view that Smt. Vimla was rightly believed by the District Judge, Jodhpur and that the real intention of Parmeshwar alias Premsukh was to get rid of Smt. Vimla some how or other with intend to remarry by branding her to be mentally unsound. Premsukh cannot be permitted to terminate to marital ties by a decree of divorce.

4. This appeal has no merit in it and it is hereby dismissed.