**NOT WEARING SINDOOR SHOWS REFUSAL TO ACCEPT MARRIAGE: GUWAHATI HC**

**Guwahati High Court grants divorce to a man after his legally wedded wife refused to wear “sindoor and sakha” which is regarded as a symbol of marriage in Hindus. Wearing Sindoor (Vermillion) or Sakha (Conch Shell Bangle) are regarded as acceptance of marriage as per the customs of a Hindu married woman.**

**A matrimonial appeal was filed by a husband against his wife in the Guwahati High Court seeking for divorce. The husband has appealed in the High Court against the Family Court’s order. After hearing the appeal of the husband, a bench comprising of Chief Justice Ajai Lamba and Justice Soumitra Saikia set aside the order of the Family Court, which had rejected the prayer of the husband for divorce on the ground that no cruelty was found on the part of wife against him.**

**The husband had appealed in the high court against the family court's order.**

**"... her refusal to wear "sakha and sindoor" will signify her refusal to accept the marriage with the appellant (husband). Such categorical stand of the respondent (wife) points to the clear intention of the respondent that she is not willing to continue her conjugal life with the appellant (husband)," the high court said in the judgment passed on June 19.**

**The husband and the wife got married on 17th February, 2012. But soon after the marriage they started fighting and the wife started demanding that she does not want to live with his family members and wanted to live like a nuclear family. As a result of which they both started living separately, since June 30, 2013.**

**She left her husband’s home in 2013 and filed a police complaint against her husband and his family members for torturing her under the Section- 498(A) (husband or his relative subjecting a married woman to cruelty) of the Indian Penal Code (IPC), but the accusation of subjecting her to torture was not sustained.**

**Previously the Family Court in Assam had completely ignored the fact that the wife compelled and prevented her husband from performing his lawful duties towards his aged mother under the provisions of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007, the bench said.**

 **The High Court said in the order that “such acts of lodging criminal cases on unsubstantiated allegations against the husband and the husband’s family members amounts to cruelty as held by the Supreme Court."**

**Such evidence is sufficient to be defined as an act of cruelty, and the allegations of wife subjecting to cruelty was not sustained. Hence, the high court granted divorce to the husband.**