

**Hon'ble Alok Singh, J.**

Mr. B. B. Sharma, Advocate for the petitioner.

Mr. R. K. Sah, Deputy Advocate General for the State of Uttarakhand.

Mr. R. P. Nautiyal, Sr. Advocate assisted by Mr. B. S. Koranga, Advocate for respondent no. 5.

Meenakshi Devi is present, in person, duly identified by Mr. R. P. Nautiyal, Sr. Advocate.

On being asked, Ms. Meenakshi Devi states that she is working as Assistant Teacher and is posted in Government Primary School, Fulsuwa, Block Doiwala, District Dehradun, therefore, she is not under any illegal or unauthorized confinement. She further contends that petitioner consumes heavy liquor and after consuming the liquor, petitioner assaults her, therefore, she has every apprehension that her life and person would be in danger, if she is forced to live with the petitioner. She further contends that she does not want to live with the petitioner and she wants to live at Dehradun.

Since respondent no. 5 is a major and is working as Assistant Teacher and she understands her welfare very well, therefore, this Court cannot compel her to go with her husband /petitioner and to live with him. Petitioner, if so advised, may pursue appropriate remedy under Section 9 of the Hindu Marriage Act.

With the above observations, petition is dismissed.

**(Alok Singh, J.)**

30.11.2015