REPORTABLE

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

PARVEEN MEHTA V. INDERJIT MEHTA (2002)

BENCH: Mr. Justice D.P. Mohapatra & Mr. Justice P. Venkatarama Reddi

DECIDED: July 12, 2002

RATIO DECIDENDI & PRECEDENTIAL CRUX:
Mental cruelty is a state of mind and feeling; direct proof is not required, and it can be inferred from the comprehensive conduct of the parties.

1. Factual Matrix & Background:

A husband sought divorce on grounds of mental cruelty under Section 13(1)(ia) HMA, showing that the wife concealed a severe pre-existing neurological illness, refused medical treatment, and consistently refused to participate in normal marital relations.

2. Substantive Legal Questions Framed:

How must courts assess mental cruelty under Section 13(1)(ia) of the Hindu Marriage Act, and whether physical violence is a prerequisite for cruelty.

3. Analysis & Ratio Decidendi:

The Supreme Court affirmed the decree of divorce, holding that mental cruelty is a state of mind and feeling. Direct evidence of mental cruelty is rarely available, and the court must draw inferences from the cumulative conduct of the spouse and the impact of such conduct on the mind of the other spouse. Non-cooperation in marital life and continuous hostility amount to mental cruelty.

4. Principles Enunciated:

- 1. Mental cruelty does not require physical violence or physical injury.
- 2. Cruelty is inferred from the cumulative marital conduct and surrounding circumstances.
- 3. A spouse cannot be compelled to endure perpetual mental agony and isolation.

5. Practical Litigation Implications:

- Construct a comprehensive chronological matrix of abusive conduct, medical non-disclosure, and refusal of consortium to demonstrate mental cruelty under the Parveen Mehta test.

.....J.
[SUPREME COURT BENCH]

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