

Rep. by Act... of 1974, S. 2 & S. 1

THE HINDU MARRIAGE (AMENDMENT) ACT, 1964

No. 44 OF 1964

[20th December, 1964.]

An Act further to amend the Hindu Marriage Act, 1955.

BE it enacted by Parliament in the Fifteenth Year of the Republic of India as follows:—

Short
title.

1. This Act may be called the Hindu Marriage (Amendment) Act, 1964.

Amend-
ment of
section
13.

2. In section 13 of the Hindu Marriage Act, 1955,—

25 of 1955.

(i) in sub-section (1),—

(a) the word “or” at the end of clause (vii) shall be omitted; and

(b) clauses (viii) and (ix) shall be omitted;

(ii) after sub-section (1), the following sub-section shall be inserted, namely:—

“(1A) Either party to a marriage, whether solemnized before or after the commencement of this Act, may also present a petition for the dissolution of the marriage by a decree of divorce on the ground—

(i) that there has been no resumption of cohabitation as between the parties to the marriage for a period of two years or upwards after the passing of a decree for judicial separation in a proceeding to which they were parties; or

(ii) that there has been no restitution of conjugal rights as between the parties to the marriage for a period of two years or upwards after the passing of a decree for restitution of conjugal rights in a proceeding to which they were parties.”