

Foreign Court Decree and Orders

Sr. No.	Title	Citation	Question involved	Held
1	Rupak Rakhi Vs Anita Chaudhary	2014 (3) PLR 407; (P&H) Law Finder Id # 542104	Hindu Couple married in India according to Hindu Rights and set up matrimonial home in united kingdom Whether foreign court can grant decree of divorce to Hindu couple married under HMA	<ul style="list-style-type: none"> • Held – Hindu Couple married under Hindu Marriage Act – settled in a foreign country – foreign court can grant decree of divorce on ground available under HMA with consent of the parties. • A decree of divorce by foreign court on ground irretrievable break down of marriage is not valid in India because this is no ground of divorce under HMA. • No decree of divorce can be obtained from foreign court on ground not available under HMA . • Where parties confer jurisdiction on the foreign court, the said court will assume jurisdiction available to matrimonial court in India and would remain confine to adjudicate the action in accordance with matrimonial law of the parties. • Detailed guidelines have been issued by this judgment to the court in India dealing with execution of the foreign court decree.