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Man complains wife has pimples, gets divorce

4 Nov 2008, 0105 hrs IST, C Unnikrishnan,TNN

MUMBAI: Pimples can not only wreck your confidence but even your marriage. This is the bitter lesson a Mumbai housewife learnt after her husband sought divorce, saying he was "traumatized" during his honeymoon by the spurt of acne vulgaris on his new wife's face.

To add to that, the family court, while granting divorce, observed that the "repulsive condition of the wife is undoubtedly tragic for the wife but this is traumatic for the spouse". It also upheld the husband's argument that the pimples prevented him from consummating the marriage. "The woman played a fraud on him (the husband) by not disclosing the fact that she had a disease," said the court.

The only relief for the wife was granted by the Bombay high court, which recently expunged the family court's observations.

Ashwin Shah and Reema Desai (names changed) had an arranged marriage on February 2, 1998, and left for a honeymoon in Mahabaleshwar. Both were in their early twenties and Ashwin was involved in the family business.

According to Ashwin, he could not maintain marital relations as Reema had boils around her mouth. The boils, he said, had burst and were smelly.

According to court documents, Ashwin was enraged to learn that she had "this skin disease since early childhood" but kept it under wraps. He then asked Reema's parents to take her back to the doctor whom she had been consulting. A month later, Reema left for her parents' place on Ashwin's promise to get her back once she was cured.

In May 1998, Reema called up Ashwin and threatened to commit suicide if she was not allowed to return to him. This is when Ashwin sent a notice to her. Meanwhile, Reema lodged a police complaint about her in-laws harassing her for dowry.

When the matter reached the family court, the doctor who treated Reema was summoned. He testified treating the girl for four months after marriage for a skin condition known as 'acne vulgaris'. The doctor also told the court that it was curable and would not cause any hindrance to physical relations between the couple.

However, the court felt that the doctor had met Reema as a patient four months after Ashwin had first noticed the pimples and hence rejected the medical statements. The marriage was declared null and void in the family court's order of April 2002.

For six years thereafter, Reema has battled to get the court's adverse observations on her condition expunged. Terming the observations as "perverse", she wanted them to be quashed. Pimples are curable and don't hamper peaceful co-existence in married life, she said in her petition to the Bombay high court six years back. The petition also questioned the family court judge's decision not to admit her doctor's findings.

After prolonged hearings, the couple recently filed consent terms in the high court. Both parties agreed to withdraw the allegations levelled in the family court. While the high court expunged the family court's observations, Ashwin has agreed to pay Reema Rs 2.5 lakh and withdraw all pending cases.

Reema also pursued a master's degree in the meantime and now works as a teacher.

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