



THE DISSOLUTION OF MUSLIM MARRIAGES ACT, 1939



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THE DISSOLUTION OF MUSLIM MARRIAGES ACT, 1939.

¹ACT No. VIII OF 1939

[17th March, 1939]

An Act to consolidate and clarify the provisions of Muslim law relating to suits for dissolution of marriage by women married under Muslim law and to remove doubts as to the effect of the renunciation of Islam by a married Muslim woman on her marriage tie.

WHEREAS it is expedient to consolidate and clarify the provisions of Muslim law relating to suits for dissolution of marriage by women married under Muslim law and to remove doubts as to the effect of the renunciation of Islam by a married Muslim woman on her marriage tie; It is hereby enacted as follows:—

1. Short title and extent.—(1) This Act may be called the Dissolution of Muslim Marriages Act, 1939.

²[(2) It extends to the whole of Pakistan.]

2. Grounds for decree for dissolution of marriage. A woman married under Muslim Law shall be entitled to obtain a decree for dissolution of her marriage on any one or more of the following grounds, namely:—

- (i) that the whereabouts of the husband have not been known for a period of four years;
- (ii) that the husband has neglected or has failed to provide for her maintenance for a period of two years;
- ³[(iii) that the husband has taken an additional wife in contravention of the provisions of the Muslim Family Laws Ordinance, 1961;]

¹For Statement of Objects and Reasons, see Gazette of India, 1936, Pt. V, 154; for Report of Select Committee, see *ibid.*, 1939, Pt. V, p. 1. It has also been extended to Phulera in the Excluded Area of Upper Tanawal to the extent the Act is applicable in the N. W. F. P., and also extended to the Excluded Area of Upper Tanawal (N.W.F.P) other than Phulera with effect from such date and subject to such modifications as may be notified, see N.W.F.P. (Upper Tanawal) (Excluded Area) Laws Regulation, 1950.

²Subs. by the Central Laws (Statute Reform) Ordinance, 1960 (21 of 1960), s. 3 and 2nd Sch., (with effect from the 14th October, 1955), for the original sub-section (2), as amended by A. O., 1949).

³Cl. (iii) ins. by the Muslim Family Laws Ordinance, 1961 (8 of 1961), s. 13 (with effect from the 15th July, 1961).