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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ MAT.APP. 89/2009 and C.M. Appl. 27506/2015

SANJAY MISHRA

..... Appellant

Through: Ms. Sapna Chauhan, Advocate

versus

RASHMI SHARMA

..... Respondent

Through:

CORAM:

HON'BLE MR. JUSTICE J.R. MIDHA

O R D E R

% **29.05.2017**

C.M. Appl. Nos.21010/2017 & 21168/2017

The parties have amicably settled their disputes through mediation.

As per the settlement, the parties have agreed to dissolve their marriage by mutual consent.

The petitioner is seeking permission to amend the petition to convert it into a petition for divorce by mutual consent and for waiver of the statutory period of six months.

In view of the Supreme Court judgment in the case of *Anil Kumar Jain v. Maya Jain*, (2009) 10 SCC 415, the statutory period of six months cannot be dispensed with. In that view of the matter, it would be appropriate for the parties to file a petition for divorce by mutual consent before the Family Court and no further order is warranted in this appeal.

MAT. APP. 89/2009 is disposed of in terms of the settlement agreement dated 22nd February, 2017. Both the parties shall remain bound by the terms of the settlement.

Pending applications are disposed of.

J.R. MIDHA, J.

MAY 29, 2017/rsk