

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

227

FAO-M-130-2016 (O&M)

(converted to petition u/s 13-B
of Hindu Marriage Act 1955)

Date of Decision: 29.11.2018

VISHAVJOT KAUR

....Petitioner No.1.

Vs.

TEJINDER SINGH

....Petitioner No.2.

**CORAM:- HON'BLE MR. JUSTICE RAKESH KUMAR JAIN
HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL**

**Present: Mr. P.K.S. Phulka, Advocate
for petitioner No.1.**

Petitioner No.2 in person.

RAKESH KUMAR JAIN, J. (ORAL)

This appeal has arisen from the judgment and decree dated 2.2.2016 passed in a petition filed under Section 12(1)(c) of Hindu Marriage Act, 1955 (for short 'the Act') preferred by the wife Vishavjot Kaur which has been dismissed by the trial Court.

During the pendency of this appeal, the matter was referred to the Mediation and Conciliation Centre of this Court where both the parties have settled their differences and thereafter they have filed an application and petition under Section 13-B of the Act which was allowed on 22.3.2018 by this Court.

The first motion statement of both the parties were recorded in this Court on 11.5.2018 and the case was adjourned to 15.11.2018 for recording the statements of the parties at the second motion stage.

However, on the said date, the respondent was not present and the case

was adjourned for today. Both the parties are present in Court and we have asked both of them about their willingness to give their consent voluntarily.

Both the parties have shown their willingness and submitted that they wanted to give divorce to each other by mutual consent. Statements to that effect have also been recorded separately. They have stated that they do not want to live together and are sticking to their statements made at the first motion stage. The appellant wife has identified her husband/respondent in Court.

Thus, in view thereof, the present writ petition filed under Section 13-B of the Act is hereby allowed and the marriage of both the parties which was solemnized on 5.6.2014 is hereby dissolved by a decree of divorce by mutual consent. Both the parties shall be bound by their statements. The decree sheet be prepared accordingly.

(RAKESH KUMAR JAIN)
JUDGE

(ANUPINDER SINGH GREWAL)
JUDGE

29.11.2018.

SwarnjitS

Whether speaking/reasoned : YES/NO

Whether reportable : YES/NO