

HIGH COURT OF CHHATTISGARH, BILASPUR**FAM No. 139 of 2019**

- Sumeet Vij S/o Shri Banshi Lal Vij Aged About 32 Years R/o E-74, Samta Colony, Behind Krishna Adlex, Raipur, Tahsil And District : Raigarh, Chhattisgarh

---- Appellant**Versus**

- Smt. Megha Gupta (Vij), Aged About 28 Years W/o Sumeet Vij D/o Gorelal Gupta, R/o LIG-8, Sector-3, Devendra Nagar, Raipur, Police Station – Devendra Nagar, Tahsil And District - Raipur, Chhattisgarh

---- Respondent

For Appellant : Shri. Goutam Khetrapal, Adv.

DB : Hon'ble Shri Justice Manindra Mohan Shrivastava**Hon'ble Smt. Justice Rajani Dubey****Order On Board by Hon'ble Shri Justice Manindra Mohan Shrivastava****21.06.2019**

1. Heard.
2. This appeal has been filed by the appellant against order dated 11.04.2019. The order does not decide anything and the case has simply been listed on next date of hearing.
3. Though, learned counsel for the appellant, relying upon the Supreme Court decision in the case of **Amardeep Singh Vs. Harveen Kaur, 2017 (8) SCC 746**, would submit that in appropriate cases, cooling off period could be waived and decree could be passed without waiting for further six months, we find that no such prayer was made before the learned Family Court. Therefore, this appeal itself appears to be mis-conceived in law and is therefore dismissed.
4. We make it clear that it will be open for the appellant to move appropriate application for waiver of cooling off period before the learned Family Court and if any such application is made, the same shall be considered and decided in accordance law.

Sd/-
(Manindra Mohan Shrivastava)
 Judge

Sd/-
(Rajani Dubey)
 Judge