

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR No.5293 of 2019

Date of decision: 05.09.2019

Amandeep Kaur

...Petitioner

Versus

Balraj Singh

...Respondent

Before: Hon'ble Mr. Justice B.S. Walia.

Present: Mr. Karambir Singh Kahlon, Advocate for the petitioner.

B.S. WALIA, J. (Oral)

1. Notice of motion. Mr. Harsimran Preet Singh, Advocate, has put in appearance on behalf of the respondent and filed memo of appearance. The same is taken on record.
2. Learned counsel for the respondent supports the prayer of the petitioner for waiver of statutory period of six months for making second motion statement by setting aside the impugned order.
3. A perusal of application Annexure P/2 moved for waiver off statutory period of six months for making second motion statement is bereft of any averment regarding mediation/conciliation having been attempted/made and of the same having failed and further there being no chance of success in respect thereto.
4. Faced with the aforementioned position, learned counsel jointly state that in fact mediation/ conciliation was sought at various stages but the same failed and there are no chances of success in

respect thereto and that the aforementioned aspect of the matter was inadvertently not mentioned in the application moved before the learned Principal Judge, Family Court, Batala, for waiver of statutory period of six months. Learned counsel jointly pray that in the circumstances the parties be permitted to move a fresh application by setting out complete particulars in respect thereto for decision in accordance with law.

5. In view of the statement of learned counsel for the parties, the revision petition is disposed of by setting aside impugned order Annexure P/8 dated 02.08.2019 and by granting them liberty to move a fresh application before the learned Principal Judge, Family Court, Batala with better particulars for waiver off the statutory period of six months, in accordance with law.

6. Revision petition disposed of in aforementioned terms.

(B.S. WALIA)
JUDGE

05.09.2019

rajesh.k.khurana

- | | | |
|------------------------------|---|---------|
| 1. Whether speaking/reasoned | : | Yes/No. |
| 2. Whether reportable | : | Yes/No. |