

CR No.5885 of 2019
Date of Decision: 19.9.2019

Richa Arora

.....Petitioner

Versus

Vikas Arora

.....Respondent

CORAM: HON'BLE MS. JUSTICE NIRMALJIT KAUR

Present: Mr. Ashish Aggarwal, Advocate, for the petitioner.

NIRMALJIT KAUR, J. (ORAL)

Issue notice of motion.

Ms. Kiranpreet Kaur, Advocate, accepts notice on behalf of the respondent.

The present revision is filed for setting aside the order dated 9.9.2019 passed by the Principal Judge, Family Court, Amritsar, vide which, the application for waiving off the stipulated period of six months, which is cooling period provided before finally granting divorce petition filed under Section 13-B of the Hindu Marriage Act, 1955 was dismissed.

No doubt, as per the judgment rendered in the case of Amardeep Singh vs. Harveen Kaur, 2017(4) RCR (Civil) 608, the cooling period can be waived off so that further agony is not preserved. However, in the present case, this Court finds no such emergency. The parties have been married for 20 years. There is no litigation pending between them. No valid reason for reducing the period is forthcoming. Accordingly, this Court finds no reasons to reduce the said cooling period. Hence, no interference is called for in the order dated 9.9.2019.

However, it is pointed out by counsel for the respective parties that the next date for the second motion before the Family Court is fixed

for 2.4.2020, whereas, the six months period will be completed on 31.1.2020, as first motion was made on 31.7.2019. Accordingly, the date fixed before the concerned Court shall now be preponed to 1.2.2020. In case, for whatever reason the case is not heard on 1.2.2020, the same shall be accordingly listed on 3.2.2020 for final disposal.

Disposed of as above.

(NIRMALJIT KAUR)
JUDGE

19.9.2019

sharmila

Whether Speaking/Reasoned	:	Yes/No
Whether Reportable	:	Yes/No