

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

**FAO-M-96-2018 (O & M)
Date of decision: 24.09.2019**

Rajinder Sharma Appellant

V/s

Neeru Bala ...Respondent(s)

**CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA
HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL**

Present: Mr. J.S. Puri, Advocate, for the appellant.

Mr. S.N. Pillania, Advocate, for the respondent.

RAJAN GUPTA, J. (Oral)

Marriage between the parties i.e. appellant-Rajinder Sharma and respondent-Neeru Bala was solemnized on 29.01.2003 at Rajpura as per Hindu rites. Out of this wedlock, one child namely Shivangi was born. However, differences developed between the couple soon after, which led to filing of instant petition by the appellant-husband seeking divorce.

During the pendency of this appeal, matter was referred to Mediation and Conciliation Centre of this court. A settlement was arrived at between the parties on 19.12.2018 which has been reduced into writing. Parties are agreed to part ways on mutually acceptable terms and seeking divorce in terms of Section 13-B of the Hindu Marriage Act, 1955.

Under these circumstances, parties are at liberty to approach the appropriate court for dissolution of marriage by way of mutual consent. They shall be entitled to seek waiver of statutory period in terms of

judgment reported as ‘*Amardeep Singh versus Harveen Kaur, 2017 (3) SCC (Cri) 505*’.

Mr. Puri submits that he may be allowed to withdraw the appeal with liberty to present a petition under Section 13-B of the Hindu Marriage Act before the appropriate Forum.

Dismissed as withdrawn with aforesaid liberty.

Learned counsel for the parties may rely upon judgment passed in the case of Amardeep Singh (supra) to seek waiver of the statutory period. Parties shall, however, be at liberty to seek revival of the appeal in case there is any change of circumstances.

(RAJAN GUPTA)
JUDGE

(MANJARI NEHRU KAUL)
JUDGE

September 24, 2019
sukhpreet

Whether speaking/reasoned : Yes

Whether reportable : No