

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

**FAO-M-260-2015 (O & M)
Date of decision: 06.11.2019**

Sanjeev Saini

.... Appellant

V/s

Anita Saini

...Respondent(s)

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

Present: Mr. Ramneek Sachdeva, Advocate, for the appellant.

Mr. Inder Pal Singh, Advocate, for the respondent.

RAJAN GUPTA, J. (Oral)

Marriage between the parties was solemnized on 21.01.2006 as per Hindu rites at Delhi. Thereafter, certain differences developed between the couple. Appellant-husband sought divorce and filed a petition under Section 13 of the Hindu Marriage Act, 1955 (for short 'the Act') in the court of District Judge, Rupnagar. Having been unsuccessful, the appellant preferred instant appeal. During the pendency of the present appeal, a settlement has been arrived at between the parties. On prayer of learned counsel, present appeal was treated as a petition under Section 13-B of the Act. The statement of the parties at first motion was recorded on 31.10.2019. Today, the parties have made their statement at second motion (recorded separately).

Keeping in view the fact that the parties have been living

separately for a considerable period and have settled all their issues, we

deem it appropriate to dissolve the marriage by a decree of divorce on the basis of mutual consent. Since parameters laid down by the Apex court in a judgment reported as ‘*Amardeep Singh versus Harveen Kaur, 2017 (3) SCC (Cri) 505*’, are met, we waive off the statutory period of six months. Accordingly, present petition under Section 13-B of the Act is hereby allowed. Marriage between the parties is dissolved by way of a decree of divorce by mutual consent. Decree sheet be prepared accordingly.

(RAJAN GUPTA)
JUDGE

(MANJARI NEHRU KAUL)
JUDGE

November 06, 2019
sukhpreet

Whether speaking/reasoned : Yes

Whether reportable : No