

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

FAO-M-7-2019

Date of Decision: 5.11.2019

Amandeep Kaur

...Appellant

Versus

Mandeep Singh

...Respondent

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

PRESENT: Mr. Kewal Krishan, Advocate for the appellant.

Mr. Pritpal Singh Miglani, Advocate for the respondent.

RAJAN GUPTA, J. (Oral)

Vide order dated 22.5.2019 passed by a coordinate Bench, this appeal was treated as a petition under Section 13B of the Hindu Marriage Act, 1955 (for short “the Act”). Statements of the parties at first motion were recorded on 22.5.2019. Matter thereafter was adjourned to 18.10.2019 and from 18.10.2019 to today i.e. on 5.11.2019. Both the parties are present in court. Their statements of second motion have been recorded. Both the parties have submitted their affidavits which are marked as Ex.P1 and Ex.P2, respectively.

Learned counsel for the parties prayed that statutory period of six months as envisaged by Section 13B of the Act for dissolution of marriage may be waived off. Since six months' statutory period has not been elapsed between first motion and second motion, we hereby waive off said period as per law laid down by Supreme Court in the case of **Amardeep Singh v. Harveen Kaur (2017) 8 SCC 746**.

In view of the fact that the parties are living separately for a considerable period and have decided to part ways, 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 drawn accordingly. Registry to do the needful.

(RAJAN GUPTA)
JUDGE

November 5, 2019
gbs

(MANJARI NEHRU KAUL)
JUDGE

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