

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

FAO-7463-2018 (O & M)
Date of decision: 03.10.2019

Harish Kumar

.... Appellant

V/s

Monika

...Respondent(s)

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

Present: Mr. D.K. Tuteja, Advocate and Mr. Dishant Tuteja, Advocate,
for the appellants.

Mr. J.P. Jangu, Advocate, for the respondents.

RAJAN GUPTA, J. (Oral)

Marriage between the parties was solemnized on 16.09.2013 as per Hindu rites. Soon after marriage, differences between the parties developed. Appellant-husband Harish Kumar preferred a petition under Section 13 (1) (ia) of the Hindu Marriage Act, 1955 before the Family Court at Rohtak for dissolution of marriage. Having remained unsuccessful, he preferred the instant appeal.

During the pendency of the appeal, a compromise, Ex.P-1 was arrived at between the parties, which was reduced into writing. An application was, thus, moved for treating this petition under Section 13-B of Hindu Marriage Act, 1955 (for short 'the Act'). This prayer was accepted. Accordingly, statements of the parties at first motion was recorded on 10.09.2019 and case was adjourned to 19.09.2019. Parties are present

(recorded separately). They pray that their marriage be dissolved by way of a decree by mutual consent. Parties have also prayed for waiving off statutory period of six months as envisaged by Section 13-B of the Act in view of settlement arrived at between the parties.

In view of the above, since the 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

October 03, 2019
sukhpreet

Whether speaking/reasoned : Yes

Whether reportable : No