

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

270

CR-7682-2019(O&M)

Date of Decision : December 04, 2019

GURJANT SINGH

.....Petitioner

VERSUS

RAVNEET KAUR

.....Respondent

CORAM: HON'BLE MS. JUSTICE NIRMALJIT KAUR

Present : Mr. Rahul Bhargva, Advocate for the petitioner.
Ms. Arti Kaur, Advocate for the respondent.

NIRMALJIT KAUR, J. (Oral)

CM-24668-CII-2019

Allowed, as prayed for. Filing of certified copies of
Annexures P-1 to P-5 is exempted.

Main case

The present revision is filed against the order dated 20.11.2019 vide which the application for waiving off the period of six months was dismissed on the ground that the parties will not have sufficient time to rethink about their decision to dissolve the marriage.

The parties herein i.e. the petitioner-husband and the respondent-wife moved the petition under Section 13-B of the Hindu Marriage Act before the Family Court, Amritsar for dissolving their marriage. The marriage took place on 14.10.2015 at Amritsar. Both the parties are stated to be residing separately since 2017. It was jointly stated by learned counsel for the parties that there are no chances of reconciliation between both the parties i.e. petitioner and respondent on account of differences in their habits and temperamental behaviour.

In order to satisfy myself, this Court directed the parties to come present before this Court. In pursuance to the said order, both the parties are present. They were heard. It is jointly stated by them that they in any case are residing separately since 2017 and there has been no co-habitation between them ever since. Both the parties themselves and their families tried their best to bring about reconciliation but there appears to be no chance of their coming back together. The marriage has irretrievably broken down. It is further stated by them that since they have already decided to dissolve the marriage and both the petitioner and respondent are young and still are at initial stage of career in their life, it is better for them to separate and go about their respective lives as per their wish and desire. The delay is only coming in their way to move on further.

The efforts made today by this Court to bring them together too have failed. Hence, this Court has no doubt in its mind that refusing to waive off the period of six months would only result in aggravating the agony being suffered by both the parties and their respective families.

In view of the above and the law laid down by the Hon'ble Apex Court in the case of Amardeep Singh vs. Harveen Kaur, 2017(4) RCR (Civil) 608, the impugned order dated 20.11.2019 is set aside with a direction to the trial Court to pass an appropriate decree after waiving off the statutory period of six months as envisaged under Section 13-B of the Act in accordance with law.

December 04, 2019

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Whether speaking/reasoned.

Whether Reportable.

(NIRMALJIT KAUR)

JUDGE

: Yes/No

: Yes/No