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

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Date of decision : 09.12.2019

Preeti Semwal

... Petitioner

Versus

Shashi Kant Sharma

... Respondent

CORAM: HON'BLE MRS. JUSTICE ALKA SARIN

Present: Mr. Ravi K. Mattoo, Advocate
for the petitioner.

Ms. Neha Dewan, Advocate
for the respondent.

ALKA SARIN, J.

The present revision petition has been filed challenging the order dated 13.11.2019, whereby the application for waiving off the six months' waiting period, prescribed under Section 13-B of the Hindu Marriage Act, 1955 (hereinafter referred to as 'the Act'), was dismissed.

The parties to the *lis* were married as per Hindu rites and ceremonies, on 01.10.2003. At the time of marriage, both the parties were working in the Indian Air Force and were posted at Jorhat, Assam. Out of the wedlock, two sons, namely, Vedant Sharma and Sheersh Sharma, were born. The petitioner is said to have left her matrimonial home in the year 2015 along with her children and since then, has been living separately from the respondent. On 01.10.2019, eventually, after intervention of friends and families, both the parties to the *lis*, agreed to dissolve their marriage by

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filing a petition under Section 13-B of the Act, for mutual consent divorce. On the basis of the petition, the first motion statements were recorded on 01.10.2019. In the petition for mutual consent divorce filed under Section 13-B of the Act, it has been stated that all the disputes between the parties have been settled and maintenance regarding children has also been taking care of, as the Ministry of Defence has awarded maintenance for children to the tune of ₹16,388/- to each child, till they attain the age of 25 years. Learned counsel for the petitioner has relied upon a decision of the Apex Court in the case of **Amardeep Singh vs. Harveen Kaur, 2017(4) R.C.R. (Civil) 608.**

Learned counsel for the respondent has submitted that there were no chances for conciliation and all efforts to reunite the party, have failed. Since all the issues between the parties have been settled, the waiting period of six months be waived off.

In view of the above facts, the waiting period of six months would only prolong the agony of the parties. Hence, keeping in view the guidelines laid by their Lordships of the Apex Court in **Amardeep Singh's** case (supra), I deem this to be a fit case to waive off the statutory period of six months for recording of the second motion. Parties to appear before the Court below on 16.12.2019 for recording of statements of the second motion and proceeding further in accordance with law.

Civil Revision Petition is allowed.

09.12.2019
Yogesh Sharma

(ALKA SARIN)
JUDGE

Whether speaking/reasoned	Yes/ No
Whether Reportable	Yes/ No