

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

FAO-M-106-2018

Date of Decision: 5.11.2019

Harender

...Appellant

Versus

Suprabha @ Renu

...Respondent

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

PRESENT: Mr. Abhimanyu Singh, Advocate for the appellant.

Mr. Sumit Sharma, Advocate for the respondent.

RAJAN GUPTA, J. (Oral)

Marriage between the parties was solemnized on 13.3.2013 at village Kharak, Tehsil and District Bhiwani, as per Hindu rites. As differences developed between the couple, husband instituted a petition for divorce in the competent court at Bhiwani, but remained unsuccessful. Present appeal emanates from the order dated 8.2.2018.

During the pendency of the case, matter was referred to Mediation and Conciliation Centre, where parties arrived at amicable settlement which has been reduced into writing and is on record. Pursuant to same, the present appeal was treated as a petition under Section 13-B of the Hindu Marriage Act, 1955. Statements of the parties at the first motion were recorded on 12.9.2019. Matter thereafter was adjourned. Today, the statements of the parties at second motion have been recorded. Appellant has handed over a demand draft of ₹ 2,50,000/- to the respondent, as per the

settlement. Since six months' statutory period has not elapsed between first motion and second motion, we hereby waive off said period as per law laid down by Supreme Court in **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 on the agreed terms and conditions as laid down in settlement dated 24.5.2019, 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