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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **MAT.APP.(F.C.) 317/2019 & CM APPL. 52854/2019 (exemption)**
MAHAK PRACHI KACHER Appellant
Through Dr. T.K. Kaushik, Mr. Deepak Kumar
Choudhary, Advocates.

versus

ABHISHEK CHHABRU Respondent
Through Mr. Dinesh Kumar Chawla, Advocate

CORAM:
HON'BLE MS. JUSTICE HIMA KOHLI
HON'BLE MS. JUSTICE ASHA MENON

ORDER
% **09.12.2019**

1. The present appeal has been filed by the appellant praying *inter alia* for waiver of the six month's statutory period and for granting leave to the parties to move a Second Motion petition for grant of a decree of divorce by mutual consent.
2. We may note that learned counsel for the appellant and the respondent, are both present in court.
3. On enquiring from the learned counsel for the parties as to whether any steps were taken by them to approach the Family Court for seeking waiver of the mandatory cooling off period of six months and for allowing the Second Motion petition, they state that the parties had moved such an application before the Family Court, which was dismissed on 21.11.2019. Surprisingly, neither has a copy of the said order been filed on record, nor a

challenge has been laid in the present appeal to the said order. Instead, the appellant has conveniently prayed for waiver of the statutory period of six months without making a whisper about the steps taken by the parties jointly before the Family Court.

4. We decline to entertain the present appeal. The same is dismissed alongwith pending application with liberty granted to the parties to assail the order passed by the learned Family Court declining to waive the statutory period of six months.

HIMA KOHLI, J

ASHA MENON, J

DECEMBER 09, 2019/MK