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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ CM.(M) 672/2019& CM.APPL. 20456/2019

JAI SHRE VOHRA

..... Petitioner

Through: Mr.Avinash Kumar Lakhanpal,
Mr.Rahul K. Singh with Mr. Jitender
Singh, Advocates alongwith the
petitioner.

versus

VENKATA BAPALU GAUGULA

..... Respondent

Through: Mr.Roopenshu Pratap Singh,
Advocate

CORAM:

HON'BLE MS. JUSTICE SANGITA DHINGRA SEHGAL

O R D E R

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30.04.2019

CM.APPL. 20456/2019 (Exemption)

Exemption allowed, subject to all just exceptions.

Application is disposed of.

CM.(M) 672/2019

The present petition has been filed challenging the order dt. 27.04.2019 passed by Principal Judge, Family Court, Patiala House Court, New Delhi in HMA Petition no. 178/2019.

Mr.Avinash Kumar Lakhanpal, learned counsel for the petitioner contended that both the parties had jointly moved a petition under Section 13B(1) of the Hindu Marriage Act for dissolution of marriage which was allowed on 22.11.2018. Learned counsel for the petitioner further contended that thereafter both the parties had mutually filed a petition under Section 13B(2) of Hindu Marriage Act and also moved an application for waiving of

cooling period of 6 months in view of the decision rendered by the Apex Court in the case of *Amardeep Singh Vs. Harveen Kaur (2017) 8SCC746*.

Learned counsel for the petitioner further contended that the petitioner is due to get remarried on 02.05.2019 and despite mutual settlement between the parties, the learned Family Court fixed the matter for arguments on 10.05.2019.

Issue notice.

Mr.Roopenshu Pratap Singh, Advocate learned counsel for the respondent accepts notice and submits that he has no objection if the matter is taken up prior to 10.05.2019.

Heard.

I have perused the records as well as the judgment passed by the Apex Court in the case of *Amardeep Singh Vs. Harveen Kaur (2017) 8SCC746*.

Since the law permits waiving of the cooling period for dissolution of marriage coupled with the fact that the remarriage of the petitioner is fixed for 02.05.2019, it would be appropriate if the learned Family Court hears the application for waiving of the cooling period for dissolution of marriage and decide the same on 01.05.2019.

Accordingly, order dated 27.04.2019 passed by the learned Family Court is set aside.

With the above observation, the present petition is disposed of.

Copy of the order be given *Dasti* under signatures of Court Master.

SANGITA DHINGRA SEHGAL, J

APRIL 30, 2019 / SU