

HIGH COURT OF CHHATTISGARH, BILASPUR

FAM No. 90 of 2017

- Naveen Sahu, S/o Ram Prasad Sahu, aged about 33 years
Caste Teli, Occupation Service, R/o Village and Post Ranai, P.S.
Patna, Tahsil Baikunthpur, District Korea, Chhattisgarh.

---- Appellant.

Versus

- Smt. Sandhya Sahu W/o Naveen Sahu, Aged About 30 Years
D/o Shri Brijmohan Sahu, Caste Teli, R/o Near Hanuman
Mandire, Bhatupara, Manipur, Ambikapur, District Surguja,
Chhattisgarh, Chhattisgarh

---- Respondent

For the Appellant	:-	Mr. Syed Majid Ali, Advocate.
For the Respondent	:-	Mr. Rishikant Mahobia, Advocate.

Hon'ble Shri Justice Manindra Mohan Shrivastava
Hon'ble Smt. Justice Vimla Singh Kapoor,

Order on Board by Justice Manindra Mohan Shrivastava J.

30.09.2020

Heard.

2. Learned counsel for the appellant submits that as a subsequent development during the pendency of this appeal, the appellant and respondent intend to seek divorce on the ground of mutual consent. Learned counsel for the appellant also submits that cooling off period may be directed to be waved.

3. Learned counsel for respondent submits no objection.

4. Accordingly, the appeal is dismissed as withdrawn keeping it open for the appellant to take such remedy as may be available to him under the law seeking divorce by mutual consent.

As far as, prayer for waiving cooling off period is concerned, if such prayer is made before the Court below while hearing

application for grant of decree of divorce by mutual consent, the learned Court below shall duly consider application for waiving off cooling off period in the light of decision of Supreme Court in the case of **Amardeep Singh Vs. Harveen Kaur, 2017 (8) SCC 746**.

5. Appeal thus dismissed as withdrawn.

Let appellate decree be accordingly drawn.

Sd/-

(Manindra Mohan Shrivastava)
Judge

Sd/-

(Vimla Singh Kapoor)
Judge

Ajay