

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR
FAM No. 150 of 2018

- Smt. Pooja Pathak W/o Shri Rishi Pathak, Aged About 26 Years R/o Village And Post Karwa Buzurg, P.S. Bakeber, District Etawah (U.P.)

---- Appellant

Versus

- Shri Rishi Pathak S/o Shri Arun Kumar Pathak, Aged About 27 Years House No. 332, Near Hanuman Temple, Ward No. 20, Pendri, Rajnandgaon, District Rajnandgaon Chhattisgarh. ---- **Respondent**

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- Shri J.K. Shastri, counsel for the appellant.
 - Shri Vineet Kumar, counsel for the respondent.
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D.B.: Hon'ble Shri Justice Manindra Mohan Shrivastava

Hon'ble Smt. Justice Vimla Singh Kapoor

Order on Board

Per Manindra Mohan Shrivastava, J.

21.01.2020

This appeal is directed against the impugned judgment and decree dated 22.11.2017 passed by the learned Family Court whereby a decree for divorce by mutual consent under Section 13 (b) of the Hindu Marriage Act has been passed.

2. This appeal has been filed by the appellant on the allegation that the entire proceedings under which the decree was passed was drawn without free consent of the appellant and it was under various threat and pressure that she had consented to passing of decree.

3. From the impugned judgment and the order sheet which has been placed on record it is apparently clear that both the parties not only moved application for grant of decree by mutual consent but the proceedings ever since 24.07.2017, remained pending before the trial Court and it was listed for hearing on different dates on which the parties appeared, their

statements were recorded and even the parties applied for waiving cooling period and learned trial Court upon due consideration waived the cooling period and passed the decree.

Accordingly, the appeal is apparently frivolous and is therefore, dismissed.

Sd/-

(Manindra Mohan Shrivastava)
Judge

Sd/-

(Vimla Singh Kapoor)
Judge