

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

928 WRIT PETITION NO.8031 OF 2020

ASHWINI KIAN WAGH ALIAS ASHWINI GAJANAN KAVHALE AND
ANOTHER
VERSUS
NIL

...

Advocate for Petitioners : Mr. Kiran D. Jadhav and Mr. Rahul V. Patil

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CORAM : MANGESH S. PATIL, J.

DATE : 08.12.2020

PER COURT :

The husband and wife are before this Court challenging the order passed by the learned Civil Judge, Senior Division in their Marriage Petition seeking divorce by mutual consent under Section 13 (B) of the Hindu Marriage Act, being aggrieved and dissatisfied by rejection of their application 'Exhibit-8' whereby they had sought waiver of period of 6 months for granting divorce by mutual consent.

2. According to the learned advocates for the petitioner even otherwise by now the statutory period is already over. In view of such a statement at the bar, in my considered view, it would be apposite now to relegate the parties to the self same Judge who can now pass an appropriate order if the statutory period is already over.

3. With these directions, the Writ Petition is disposed of. The learned Judge may now hear the parties and pass appropriate order on the main proceeding. The parties shall appear before the concerned Court on 15.12.2020 and there shall be no need for the Court to issue any notice. The learned judge shall pass appropriate order at the earliest.

(MANGESH S. PATIL, J.)