

125 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR No.1713 of 2020 (O&M)
Date of Decision : 16.03.2020

Amandeep Kaur

...Petitioner

Versus

Harmandeep Singh

...Respondent

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Ms. Amandeep Kaur, petitioner in person.

Mr. Harmandeep Singh, respondent in person with
Mr. Kushagra Mahajan, Advocate
for the respondent.

ALKA SARIN, J (ORAL)

1. The present revision petition has been filed against the order dated 03.01.2020, whereby the application filed by the parties for waiver of the statutory period of six months for recording of the second motion has been dismissed. The parties to the lis were married on 14.02.2017 according to the Sikh Rites and Ceremonies. After living together for a short period, the parties to the lis separated due to temperamental differences. The relatives of both the parties tried to resolve the differences and rehabilitate the parties but to no avail.

2. In view of the above, joint petition under Section 13-B of the Hindu Marriage Act, 1955 for grant of divorce by mutual consent along with the application for waiver of the statutory period of six months was filed on 02.12.2019 and first motion statement of parties were recorded on the same day. The matter was adjourned to 03.01.2020 for consideration on the application seeking waiver of the statutory period of six months under Section 13-B of the Hindu Marriage Act, 1955.

3. Vide the impugned order dated 03.01.2020, application seeking waiver of the statutory period of six months had been dismissed. Both the parties to the lis are living separately since 02.05.2017 and there is absolutely no chance of re-conciliation.
4. The parties are present in the Court today and I have also interacted with them. Both the parties are adamant on their stand and there is no chance of re-conciliation. It is further been stated by the parties that all issues between the parties have been resolved and the wife i.e. the petitioner-herein has been paid an amount towards maintenance qua which she is satisfied and all the dowry articles have already been returned to her and there are no other issues which remain pending between the parties.
5. In view of the law laid down by the Apex Court in ***‘Amardeep Singh versus Harveen Kaur’, 2017 (4) RCR (Civil) 608*** and in view of the fact that all efforts for mediation and conciliation has failed and there is no likelihood of parties living together, I deem it proper to waive off the statutory period of six months inasmuch as the waiting period of six months would only prolong the agony of the parties.
6. Parties are directed to appear before the Court below on 26.03.2020 for recording of statements of the second motion and proceeding further in accordance with law.

Revision petition stands allowed in view of the aforesaid.

(ALKA SARIN)
JUDGE

16.03.2020
Manpreet

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No