

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

FAO-M No. 157 of 2019

Date of decision : 13.03.2020

Yogesh Kumar

.... Appellant

Versus

Neetu and others

... Respondents

**CORAM : HON'BLE MRS. JUSTICE DAYA CHAUDHARY
HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA**

Present : Mr. Mayur Karkara, Advocate for the appellant.

Mr. Vikas Chaudhary, Advocate for the respondent.

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DAYA CHAUDHARY, J. (Oral)

Learned counsel for both the parties submit that a compromise/settlement has been arrived at between the parties before the Mediation and Conciliation Centre of this Court and as per the terms and conditions of the settlement, it has been decided to file a divorce petition with mutual consent under Section 13-B of the Hindu Marriage Act, 1955 (hereinafter referred to as "H. M. Act"). The parties have also agreed to withdraw all litigations initiated by them against each other.

Learned counsel for both the parties also request for waiving off the minimum period of six months stipulated under Section 13-B (2) of the H. M. Act for recording the statements of the parties on second motion, for passing decree of divorce on the basis of mutual consent.

Accordingly, after hearing the parties who are present in person

in the Court and keeping in view the submissions made by learned counsel for the parties, both the parties are at liberty to file a petition under Section 13-B of the H.M. Act. However, depending on the facts and circumstances of the case, it is directed to the concerned Court that in case such petition is filed, the condition of minimum period of six months, stipulated under Section 13-B(2) of the H. M. Act, for recording statements of the parties on second motion for passing decree of divorce on the basis of mutual consent, be waived off.

The appeal is disposed of accordingly.

(DAYA CHAUDHARY)
JUDGE

Dated : 13.03.2020

sunil yadav

(MEENAKSHI I. MEHTA)
JUDGE

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No