

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WP227 No. 276 of 2021

- Nidhi Singhaniya W/o Shri Prateep Singhaniya D/o Shri Bhimsen Chhaparia Aged About 29 Years R/o Dabhra Road Kharsiya District Raigarh Chhattisgarh., District : Raigarh, Chhattisgarh

---- Petitioner

Versus

- Prateep Singhaniya S/o Shri Virendrea Singhaniya Aged About 32 Years R/o Shristri Plazo Apartment Avanti Vihar, Raipur, District - Raipur Chhattisgarh., District : Raipur, Chhattisgarh

---- Respondent

For Petitioner – Shri Soumitra Kesharwani, Advocate.

For Respondent – Respondent in person through video conferencing.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

21-06-2021

Heard.

1. The present petition has been brought being aggrieved by the order dated 14-06-2021 passed by the Principal Judge, Family Court Raipur and also seeking waiver of the statutory period of Section 13 B(2) of the Hindu Marriage Act.
2. It is submitted by learned counsel for the petitioner that the marriage of the petitioner with the respondent was performed on 06-07-2018. Because the parties could not get along well, they have started living separately from 15-04-2019. The petition under Section 13(B) of the Hindu Marriage Act praying for divorce on mutual consent was filed on 20-01-2021 and an application was filed by the parties on 14-06-2021 requesting early hearing of the case, which has been rejected by the learned Family Court. It is submitted that the parties have planned their future and the pendency of this case is coming as a hurdle, therefore, specific direction be issued to learned Family Court to dispose off the case as early as possible.
3. The respondent in person also makes this statement that his case be disposed off as early as possible.

4. Considered on the submissions. The parties have not yet filed any application to waive the statutory period as required under Section 13 B(2) of the Hindu Marriage Act, 1955. The prayer of the parties for early hearing in the case is considered and allowed. Learned Family Court is directed to provide opportunity of hearing to the parties on urgent basis. The parties are also at liberty to file application for waiver of the statutory period as required under Section 13 B(2) of the Hindu Marriage Act, 1955. On filing of such application learned Family Court shall consider the same and decide it at the earliest and the petition between the parties may also be decided at the earliest.

5. The petition stands disposed off.

Sd/-

(Rajendra Chandra Singh Samant)
Judge