

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

213

CR-384-2021 (O&M)
Date of decision: 03.03.2021

RAVINDER SINGH

...Petitioner

Versus

NEHA VINAY PURI

...Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present : Mr. Rahul Bhargava, Advocate for the petitioner.
Ms. Arti Kaur, Advocate for the respondent.

ANIL KSHETARPAL, J. (Oral)

The estranged couple before this Court prays for waiving off six months' period between first motion and second motion in a petition filed under Section 13-B of the Hindu Marriage Act, 1955 for grant of decree of divorce by mutual consent. It may be noted here that the parties got married on 15.10.2019 and after staying together for 4 days, they started residing separately. In fact, the petitioner is residing in UK after he went on 20.10.2019. There is no child born out of the wedlock. The parties belong to educated families and understand what is right and wrong. They filed petition for grant of decree of divorce with mutual consent on 21.10.2020. In the first motion, statements of the parties were recorded on 04.12.2020. They filed an application for waiving off statutory period of six months which has been dismissed.

Hon'ble the Supreme Court in **Amardeep Singh Vs. Harveen Kaur, 2017(4) RCR (Civil) 608** has held that the statutory period of six months can be waived off in appropriate cases and to avoid agony of the parties.

As noticed above, in the present case, parties belong to educated families.

Keeping in view the aforesaid facts in particular that the parties are residing separately for the last 1 year and 4 months approximately and both of them being young want to plan their future, it is considered appropriate to waive off the statutory period of six months in the facts and circumstances of the present case. Learned trial Court is requested to record the statement of the parties in second motion on 12.03.2021.

Disposed of.

03.03.2021

(ANIL KSHETARPAL)
JUDGE

ashok

Whether speaking/reasoned:

Yes / No

Whether reportable:

Yes / No