

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Sr. No.112

Civil Revision No.421 of 2021

DATE OF DECISION: February 26, 2021

GAGANPREET SINGH

..PETITIONER

VERSUS

JASLEEN KAUR

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Bhupinder Kumar Gupta, Advocate, for the petitioner.

SUDHIR MITTAL, J. (ORAL)

The parties are aggrieved with order dated 02.12.2020 (Annexure P-4) whereby their application for advancing the date of hearing of second motion has been rejected on the ground that there is nothing on record to show that mediation proceedings were conducted between the parties.

Learned counsel for the parties submits that parties have separated since 17.12.2018 and the petition under Section 13-B of the Hindu Marriage Act, 1955 was filed on 17.07.2020. This in itself shows that efforts at conciliation have failed and that mature thought has gone into the filing of petition for divorce by way of mutual consent. Under the circumstances, the statutory period of six months should have been waived by the trial Court. Reliance is placed upon '*Amardeep Singh vs. Harveen Kaur 2017(4) RCR(Civil) 608*'.

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Having gone through the aforementioned judgment, I am satisfied that the present case is covered by the guidelines laid down therein. Thus, the revision petition is consequently allowed and impugned order dated 02.12.2020 (Annexure P-4) is set aside. Parties are directed to appear before the Family Court, Jalandhar on 05.03.2021 for hearing on the second motion.

February 26, 2021

Ankur

**(SUDHIR MITTAL)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No