

Gitika Kamboj

....Petitioner

VS

Sumit Khanna

....Respondent

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Krishan M. Vohra, Advocate for the petitioner

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SUDHIR MITTAL, J. (Oral)

This petition has been filed against order dated 02.09.2021 passed by the Principal Judge, Family Court, Panchkula whereby application for waiver of six months statutory period has been rejected on the ground that guidelines laid down by the Hon'ble Supreme Court in *Amardeep Singh vs. Harveen Kaur, 2017(4) RCR 608* had not been fulfilled. According to this judgment, statutory period of one year under Section 13-B(1) of the Hindu Marriage Act, 1955 (for short 'the Act') and period of six months provided under Section 13-B(2) of the said Act should be over before the first motion for dissolution of marriage by mutual consent. Since the said requirement is not fulfilled, statutory period of six months provided by Section 13-B (2) of the Act can not be waived.

Learned counsel for the petitioner submits that a Coordinate Bench of this Court has waived the period of six months in a similar case.

Obviously judgment/order relied upon by learned counsel for the petitioner can not be followed by me as it would be contrary to the law laid down by Hon'ble Supreme Court in *Amardeep Singh (supra)*.

No other argument has been raised. Thus, the revision petition has no merit and is dismissed.

22.09.2021

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( SUDHIR MITTAL )  
JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable :

Yes/No