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

FAO-6406-2023 (O&M)
Date of decision: 01.12.2023

Charanpreet Kaur

... Appellant

Vs.

Jagraj Singh Dhaliwal

... Respondent

**CORAM: HON'BLE MR. JUSTICE SUDHIR SINGH
HON'BLE MR. JUSTICE SUMEET GOEL**

**Present: Mr. B.S. Bhalla, Advocate
for the appellant.**

**Ms. Amarjot Kaur, Advocate
for the respondent.**

SUDHIR SINGH, J. (ORAL)

The appellant has prayed for setting aside the order dated 07.11.2023 passed by the Principal Judge, Family Court, Moga, vide which joint application under Section 13-B of the Hindu Marriage Act (for short ‘the Act’) moved by the parties for waiving off the cooling period of six months for recording their second motion statements, was dismissed.

Learned counsel for the appellant submits that marriage between

the parties was solemnized on 10.07.2018 according to Sikh rites and ceremonies and out of the said wedlock, no child was born. It is further submitted that the parties have jointly filed an application for waiving off the cooling period of six months before the Family Court, Moga, but the same was dismissed vide order dated 07.11.2023 by observing that there is no possibility of reconciliation between the parties, is not a ground to waive off the cooling period of six months and as such there is no urgency in the case.

Feeling aggrieved against the order dated 07.11.2023, present appeal has been filed for setting aside the same.

Learned counsel for the appellant submits that the parties have entered into a settlement to dissolve their marriage by way of mutual consent on the terms and conditions as mentioned in para No.2 of the appeal and have decided to part their ways.

Learned counsel for the respondent has not disputed the factum of compromise.

From bare perusal of the record, it appears that the parties have been living separately from the last more than 03 years.

After hearing learned counsel for the parties and in view of the settlement effected between the parties, present appeal is allowed and order dated 07.11.2023 passed by learned Principal Judge, Family Court, Moga, is set aside. The cooling period of six months as prescribed under Section 13-B (2) of the Act is waived off.

The Trial Court is directed to proceed further accordingly as per law.

[SUDHIR SINGH]
JUDGE

01.12.2023
vishnu

[SUMEET GOEL]
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No