

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH****131****CR-2411-2025 (O&M)****Date of Decision : 24.04.2025**

Navneet Kaur

....Petitioner

VERSUS

Tarun Thakur

....Respondent

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Mr. R.K. Jaswal, Advocate for the petitioner.

ALKA SARIN, J. (Oral)

1. The present petition has been filed against the impugned order dated 05.03.2025 whereby the application filed by the parties for waiver of the statutory period of six months for recording the statements of the parties on the second motion has been dismissed.
2. The parties to the *lis* were married on 20.02.2022 and have been living separately from 01.05.2022. Despite trying to resolve the differences, the parties could not resolve them and were unable to live with each other. On 13.10.2024 a joint petition was filed under Section 13-B of the Hindu Marriage Act, 1955 for grant of divorce by mutual consent. The statements of both the parties on the first motion were recorded on 18.12.2024 and the case was adjourned to 18.07.2025 for recording of the second motion statements.
3. Notice of motion.

4. Ms. Dilpreet Kaur, Advocate, who is present in Court, accepts notice on behalf of the respondent and has filed her *vakalatnama*, which is taken on record.

5. Learned counsel for the parties would contend that since the parties are residing separately since May 2022 and there are no chances of any reconciliation, an application for waiver of the six months period for recording of the second motion statements was moved. However, vide the impugned order dated 05.03.2025 the said application was dismissed as not maintainable on the ground that the parties have not mentioned any reason for waiving off the cooling period of six months. It has further been contended that the parties have been living separately since May 2022 and they have not cohabitated since then. Learned counsel would further contend that the compromise arrived at between the parties has already been given effect to and the terms and conditions laid down therein already stand complied with.

6. Heard.

7. In view of the law laid down by the Apex Court in the case of **Amardeep Singh vs. Harveen Kaur [2017(4) RCR (Civil) 608]** and in view of the fact that the parties have been living separately since May 2022 and there is no chance of reconciliation and likelihood of the parties living together, I deem it appropriate to waive off the statutory period of six months for recording of the second motion statements inasmuch as the waiting period of six months would only prolong the agony of the parties. Resultantly, the impugned order dated 05.03.2025 is set aside.

8. Parties are directed to appear before the Family Court concerned on **09.05.2025** at **10.00 a.m.** for recording of the statements of the second motion and proceeding further in accordance with law.

9. Revision petition stands allowed in the above terms. Pending applications, if any, also stand disposed off.

24.04.2025

jk

**(ALKA SARIN)
JUDGE**

NOTE: Whether speaking/non-speaking: Speaking
Whether reportable: YES/NO