



ORDER BELOW EXH.07.

01. Applicants have jointly filed this application for waiving the statutory period of six months u/s 13B of the Hindu Marriage Act, 1955.

02. Perused the application, supported affidavits, documents and entire record. Heard Ld. Advocate for applicants.

03. The record reflects that, the marriage of applicants was solemnized on **30.06.2005**. It is disclosed that, they are residing separately since from **October-2020**. The two sons namely Chaitanya and Khushal were begotten from said wedlock and it is agreed among parties to keep their custody with applicant No.2/father. Parties have also settled other issues by withdrawal of P.W.D.V.No.66/2025 and H.M.P. No.229/2023 and by payment of Rs.1,90,000/- as onetime settlement amount. Thus, differences are apparent and reunion is not appearing to be possible. Parties have mutually decided to get separated and consequently other conflicting issues are also resolved mutually. In spite of efforts of settlement and mediation the dispute could not be resolved. Parties are unable to cope up with differences in their temperaments. Hence, both of them have mutually decided to file this petition for divorce by mutual consent. They have settled the issue in regard to maintenance etc. It is further seen that, the period one year separation from the date of marriage and also period of six months from date of separation as required is also expired prior to the filing of this petition.

04. It is settled position of law that, "*the waiting period of six months is not mandatory but directory and it can be waived by the Court in exercise of its discretion subject to certain conditions*". Thus, parties have complied with directions of Hon'ble Apex Court in **Amardeep Singh 2017(5) Mh.L.J. 804** as well as **Amit Kumar AIR 2022 SC 570**. Therefore, after considering facts and circumstances of the instant case, in my view, there is no possibility resuming cohabitation or reunion between these applicants. Hence, this matter is appearing to be fit to waive cooling period of six months as the delay will cause great inconvenience and mental agony. Thus, in view of above reasons and circumstances of this case, the application deserves to be allowed. Hence, following order :-

	<u>ORDER</u>
01.	The application (Exh.7) is allowed.
02.	The cooling off period of six months as specified under Section 13(B) of the Hindu Marriage Act, 1955 is hereby waived.

(Shri. D. S. Jadhav)

Date : 14.08.2026.

Civil Judge, Senior Div. Chalisgaon,