

**ORDER BELOW EXH.5.**  
**(Dated 05.03.2026)**

This is an application by the applicants/petitioners for dispensing with a mandatory waiting period of six months as per section 13B(2) of the Hindu Marriage Act,1955.

2] According to the applicants/petitioners, they have filed application for grant of divorce by mutual consent. They have consulted their relatives and for the better future of the parties, they have decided to get separated. Mediation proceedings have also taken place, but the parties are firm on their decision to sever their relations. They have been residing separately since 29.06.2022. There is no possibility of reconciliation and there is likelihood of second marriage of the petitioners. I have perused the Judgment of **Amardeep Singh Vs. Harveen Kaur, 2018(2) Mh.L.J.24.**

3] In the said case the Hon'ble Supreme court has laid down certain conditions for waiving the statutory period. It is provided that the Court must be satisfied that the case is made out to waive the cooling period of six months, after consideration of some factors. In the present case it is found that the parties are residing separately since 29.06.2022. All the efforts to settle the matter through alternative dispute resolution are unsuccessful. The

parties have agreed about settlement of differences regarding maintenance and property rights. Considering the fact that the parties are residing separately since long and may be desirous to conduct second marriage, the waiting period of six month will be only a hurdle. Hence, this is a fit case where exercise of discretion can be made in favour of the parties. Hence, I pass the following order.

**ORDER**

The application is allowed.

Date: 05/03/2026.

**(Shivnath M. Kale)**  
Civil Judge (Sr. Dn.),  
Akot.