



HIGH COURT OF JUDICATURE AT ALLAHABAD

FIRST APPEAL No. - 1387 of 2023

Anjali Rai

.....Appellant(s)

Versus

Praveen Kumar Rai

.....Respondent(s)

Counsel for Appellant(s)	:	Ashish Rai, Om Prakash Rai
Counsel for Respondent(s)	:	Dinesh Kumar Yadav, Krishna Gopal Yadav

Court No. - 29

HON'BLE ARINDAM SINHA, J.
HON'BLE SATYA VEER SINGH, J.

1. Mr. Om Prakash Rai, learned advocate appears on behalf of appellant, whose petition for dissolution of the marriage was rejected on judgment dated 16th October, 2023 of the Family Court. He submits, the Family Court erred both in facts and law to reject his client's petition. Mr. Dinesh Kumar Yadav, learned advocate appears on behalf of respondent.
2. It appears there is possibility of parties mutually agreeing to divorce and thereby honorably part ways. They need to look ahead. They can join to petition in the Family Court for divorce by mutual consent, without making allegations or counter allegations against each other. In event they do so they may make second motion on prayer for waiver of the cooling period following judgment of the Supreme Court in **Amardeep Singh vs. Harveen Kaur** reported in **2017 (8) SCC 746**. For the purpose subsequent judgments of the Supreme Court in **Amit Kumar vs. Suman Beniwal** reported in **(2023) 17 SCC 648** and **Shilpa Sailesh vs. Varun Sreenivasan** reported in **(2023) 14 SCC 231** paragraphs 33 to 36, may also be seen. In event they obtain judgment and decree for mutual divorce, on producing it the appeal will be dealt with. Otherwise, the appeal is ready for hearing on the lower Court record received, for it to be heard.
3. List on 30th April, 2026.

(Arindam Sinha,J.)

(Satya Veer Singh,J.)

March 20, 2026

Jaswant