

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. _____ OF 2026
[ARISING OUT OF SLP (C) NO.8042/2026]

ROSHANI NAMDEV

Appellant(s)

VERSUS

LUCKY NAMDEV

Respondent(s)

O R D E R

1. The appellant-wife is before this Court challenging the order dated 17.02.2026 passed by the High Court whereby order dated 02.02.2026 passed by the Family Court was upheld.

2. Vide the aforesaid order, the Family Court had rejected the prayer made by the parties for waiver of cooling off period in a petition filed for divorce under Section 13-B of the Hindu Marriage Act, 1955.

3. Learned counsel for both the parties submitted that marriage of the parties was solemnized on 30.01.2024. They are living separate since 16.06.2024 and there are no chances of reconciliation as all efforts in that direction had already failed. Keeping the matter pending before the Family Court for grant of divorce by mutual consent will prolong the agony of the parties.

4. Considering the aforesaid argument raised by the learned counsel for the parties, the impugned order passed by the High Court as well as the Family Court, are set aside.

5. Cooling off period of six months is waived off.

6. As is evident from the order passed by the Family Court, while rejecting the prayer for waiver of cooling off period, the next date was fixed as 23.06.2026. The aforesaid date is preponed to 25.03.2026 for further proceedings.

7. The appeal is disposed of accordingly.

8. Pending applications, if any, shall also stand disposed of.

.....,]
[RAJESH BINDAL]

.....,]
[VIJAY BISHNOI]

NEW DELHI;
MARCH 11, 2026

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition for Special Leave to Appeal (C) No.8042/2026

[Arising out of impugned final judgment and order dated 17-02-2026 in MP No. 836/2026 passed by the High Court of Madhya Pradesh at Indore]

ROSHANI NAMDEV

Petitioner(s)

VERSUS

LUCKY NAMDEV

Respondent(s)

FOR ADMISSION

IA No. 63017/2026 - EXEMPTION FROM FILING O.T.

Date : 11-03-2026 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE RAJESH BINDAL
HON'BLE MR. JUSTICE VIJAY BISHNOI

For Petitioner(s) : Mr. Vaibhav Maheshwari, Adv.
Ms. Sadhana Sandhu, AOR
Ms. Shikha Sandhu, Adv.
Mr. Sarthak Chaturvedi, Adv.
Mr. Ankur Yadav, Adv.

For Respondent(s) : Mr. Abhinav Bhargava, Adv.
Mr. Praditya Pal, ADV.
Mr. Sriram P., AOR

UPON hearing the counsel the Court made the following
O R D E R

1. Issue notice.
2. Mr. Sriram P., learned Advocate on record accepts notice on behalf of respondent.
3. Leave granted.
4. The appeal is disposed of by a separate order passed today.

5. Pending application(s), if any,
shall also stand disposed of.

(KRITIKA TIWARI)
SENIOR PERSONAL ASSISTANT

(AKSHAY KUMAR BHORIA)
COURT MASTER (NSH)