

BEFORE THE HON'BLE COURT OF PRINCIPAL JUDGE/FAMILY COURT, SAS NAGAR (MOHALI)

**HMA** \_\_\_\_\_ /2026

\_\_\_\_\_, D/o Sh. \_\_\_\_\_, W/o Sh. \_\_\_\_\_ R/o \_\_\_\_\_, Mohali.

...Petitioner No.1

**Versus**

\_\_\_\_\_, S/o \_\_\_\_\_ R/o \_\_\_\_\_, Mohali.

...Petitioner No.2

Application seeking Waiver/ Condonation of 6 months waiting time period for dissolution of marriage by a decree of divorce by mutual consent u/s 13-B of HMA.

RESPECTFULLY SHOWETH:

1. That the contents of the accompanying petition u/s 13-B of the Hindu Marriage Act 1955 may kindly be read as part and parcel of the present application.
2. That the petitioners have not co-habited since \_\_\_\_\_. Both the parties have not been able to live together and there is no possibility of their living together as husband and wife and they have mutually decided that the marriage be dissolved by decree of divorce by mutual consent.
3. That marriage between the Deponent with Petitioner No.1 was solemnized on \_\_\_\_\_, as per Hindu Matrimonial Rights and ceremonies. The marriage ceremony was performed at \_\_\_\_\_. One Child was born out of this wedlock namely- \_\_\_\_\_ on \_\_\_\_\_
4. That the Petitioners are finally residing separately since \_\_\_\_\_ and there is no possibility of any reconciliation between the petitioners. The marriage between the parties has totally broken down irretrievably and it is not possible for the parties to live together as husband and wife. All the efforts made by friends, Relatives and parents of both the parties for reconciliation and settlement of disputes of the

parties have failed.

5. That both the parties have settled their issues in relation to the Permanent Present and Future alimony of the Petitioner No 1 (Wife) vide compromise agreement dated \_\_\_\_\_.
6. That The statutory period of six months specified in Section 13B(2), in addition to the statutory period of one year Under Section 13B(1) of separation of parties is already over before the first motion itself.
7. That the statutory period of 6 months will not lead to any fruitful result, rather it will prolong the agony of the Petitioners. The Hon'ble Supreme Court in **Amardeep Singh vs Harveen Kaur** has held that the period mentioned in Section 13B (2) is not mandatory but directory, it will be open to the Court to exercise its discretion in the facts and circumstances of each case where there is no possibility of parties resuming cohabitation and there are chances of alternative rehabilitation.

It is therefore respectfully prayed that the present application be allowed and the 6 month time period for the dissolution of marriage by a decree of divorce by mutual consent may kindly be waived off in the interest of justice.

Any other relief which this Hon'ble Court finds fit in the interest of justice.

Date:

Place: Mohali

Petitioner No 1

Petitioner No 2

BEFORE THE HON'BLE COURT OF PRINCIPAL JUDGE/FAMILY  
COURT, SAS NAGAR (MOHALI)

\_\_\_\_\_, D/o Sh. \_\_\_\_\_, W/o Sh. \_\_\_\_\_ R/o  
\_\_\_\_\_, Mohali.

...Petitioner No.1

**Versus**

\_\_\_\_\_, S/o \_\_\_\_\_ R/o \_\_\_\_\_, Mohali.

...Petitioner No.2

**AFFIDAVIT**

I, \_\_\_\_\_, S/o \_\_\_\_\_ R/o \_\_\_\_\_, Mohali; do hereby  
solemnly affirm and declare as under:

1. That the contents of the accompanying petition u/s 13-B of the Hindu Marriage Act 1955 may kindly be read as part and parcel of the present application for waiver of 6 months waiting period.
2. That the petitioners have not co-habited since \_\_\_\_\_. Both the parties have not been able to live together and there is no possibility of their living together as husband and wife and they have mutually decided that the marriage be dissolved by decree of divorce by mutual consent.
3. That marriage between the Deponent with Petitioner No.1 was solemnized on \_\_\_\_\_, as per Hindu Matrimonial Rights and ceremonies. The marriage ceremony was performed at Agrasen Bhawan, B Block, Near Patrol Pump, Lohia Nagar Ghaziabad. One Child was born out of this wedlock namely- Eashan Singh on \_\_\_\_\_.
4. That the Petitioners are finally residing separately since \_\_\_\_\_ and there is no possibility of any reconciliation between the petitioners. The marriage between the parties has totally broken down irretrievably and it is not possible for the parties to live together as husband and wife. All the

efforts made by friends, Relatives and parents of both the parties for reconciliation and settlement of disputes of the parties have failed.

5. That both the parties have settled their issues in relation to the Permanent Present and Future alimony of the Petitioner No 1 (Wife) vide compromise agreement dated \_\_\_\_\_.
6. That the statutory period of six months specified in Section 13B(2), in addition to the statutory period of one year Under Section 13B(1) of separation of parties is already over before the first motion itself.
7. That the statutory period of 6 months will not lead to any fruitful result, rather it will prolong the agony of the Petitioners. The Hon'ble Supreme Court in **Amardeep Singh vs Harveen Kaur** has held that the period mentioned in Section 13B (2) is not mandatory but directory, it will be open to the Court to exercise its discretion in the facts and circumstances of each case where there is no possibility of parties resuming cohabitation and there are chances of alternative rehabilitation.

Deponent

VERIFICATION: -

Verified that the contents of my above affidavit are true and correct to the best of my knowledge and belief and nothing has been kept concealed therein.

Date:

Place:

Deponent