

ITEM NO.11

COURT NO.11

SECTION IV-A

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(s) for Special Leave to Appeal (C) No(s). 19676/2017

(Arising out of impugned final judgment and order dated 21-06-2017 in MC No. 3060/2017 passed by the Court of Id. Principal Judge, Family Court at Nyayadegula, Bengaluru)

SANJAY KUMAR TRIPATHY

Petitioner(s)

VERSUS

SHELLY TRIPATHY

Respondent(s)

(FOR ADMISSION)

Date : 14-08-2017 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE PRAFULLA C. PANT
HON'BLE MR. JUSTICE SANJAY KISHAN KAUL

For Petitioner(s)

Mr. Vijay Hansaria, Sr.Adv.
Mr. Siddharth Sangal, AOR

For Respondent(s)

Mr. Somesh Chandra Jha, Adv.

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

Heard Mr. Vijay Hansaria, learned senior counsel appearing on behalf of the petitioner - husband and Mr. Somesh Chandra Jha, learned counsel appearing on behalf of the caveator/respondent - wife.

The petitioner - husband and the respondent - wife have filed a joint petition under Section 13-B of the Hindu Marriage Act, 1955, for divorce before the Principal Judge, Family Court at Nyayadegula, Bengaluru.

The parties to matrimony, have approached this Court for

waiving of six months' cooling period, required under law, before the second motion.

There appears to be settlement between the parties to matrimony and the son of the parties, who is studying in Class Xth in Kuwait will miss, according to them, all unit tests if the cooling period is not waived.

In the circumstances, considering the interest of the child of the parties to matrimony, exercising our powers under Article 142 of the Constitution of India, we dispose of this special leave petition and waive the waiting period of six months'.

The parties are directed to appear before the trial Court on 21st August, 2017 and the trial Court may take up the matter for second motion and pass appropriate orders.

(SUKHBIR PAUL KAUR)
AR CUM PS

(S. SIVARAMAKRISHNA)
ASST.REGISTRAR