

SUPREME COURT OF INDIA

B.A.Vani

Vs.

Union of India & Anr.

WP (Civil) No.530 of 2016

(Kurian Joseph and R.K.Agrawal,JJ.,)

07.11.2016

JUDGMENT

Kurian Joseph,J.,

1. Thanks to the intervention of the learned Amicus Curiae, it appears that good sense has prevailed upon the petitioner and the second respondent.
2. It is submitted that they have, accordingly, filed a petition under Section 13B of the Hindu Marriage Act for a decree of divorce on mutual consent.
3. Both the petitioner and the second respondent are present before this Court today. Both are Advocates.
4. It is submitted by the learned Amicus Curiae that this is an eminently fit case where this Court could invoke its jurisdiction under Article 142 of the Constitution of India for waiving off the six months' period provided under Section 13B of the Hindu Marriage Act in view of the long separation of seven years between the parties and the several rounds of litigation the parties have gone through.
5. Though the Writ Petition is wholly misconceived, in view of the steps now taken by the petitioner and for which the second respondent-husband has wholeheartedly supported, we are of the view that the interest of justice would demand that the ordeal should be put to quietus once and for all.
6. Accordingly, the marriage between the petitioner and the second respondent stand dissolved by way of a decree of divorce on mutual consent, under Section 13B of the Hindu Marriage Act.
7. Subject to the above relief, the Writ Petition is dismissed.

8. We record our appreciation on the strenuous efforts taken by the learned Amicus Curiae in assisting the Court in the matter. Pending interlocutory applications, if any, are disposed of.