

Special Marriage Act, 1954, Section 25(i) and 25(iii), 28 – Waiver of waiting period – Petition filed seeking annulment of marriage and declaring marriage null and void in terms of Sections 24(1)(i), 25(i) and 25(iii) of the Act of 1954 – Counsels for the parties submitted that their intention had essentially been of seeking a divorce by mutual consent in terms of Section 28 of the Act of 1954 – We are satisfied that the dispute of the parties stands amicably resolved with the Settlement Agreement now filed – Looking to the time that has elapsed since after the parties entered into the first agreement dated 02.01.2021, whose essential terms are retained by the parties and rather they have also partly acted upon the same, it appears just and proper to grant a decree of divorce by mutual consent to the parties in terms of their agreement while waving any requirement of waiting period for the parties – Constitution of India, Article 142.

2021 SCeJ 925