

**IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION**

**Special Leave Petition (C) No. 17507 of 2026**

**SMT. SHAGUN RANA**

**... PETITIONER**

**VERSUS**

**SHIVAM TANWAR**

**... RESPONDENT**

**O R D E R**

1. The present special leave petition has been preferred by the wife challenging the order dated 03.04.2026 of the High Court of Judicature at Allahabad, whereby the High Court has refused to grant the following reliefs as prayed -

*(i) Direct the Principal Judge Family Court, Ghaziabad to decide the Divorce Petition under Section 13B(1) HMA Petition No. 159 of 2026 in between (Smt. Sagun Rana Vs. Shruvi Shivam Tanvar) under section 13B Hindu Marriage Act, pending before Principal Judge Family Court Ghaziabad since 21.01.2026, expeditiously as possible with a short and stipulated period and it is also further prayed that court may exempt the provision of second motion under section 13B HMA.*

*(ii) Direct the Principal Judge Family Court, Ghaziabad to ensure the presence of present petitioner through video conference from Canada to apply under the Rules for Video Conferencing for Courts in the State of Uttar Pradesh, 2020 for video conference facility in judicial proceedings.*

*(iii) Issue any other writ, order or direction which this Hon'ble court may deem fit and proper*

*under the fact and circumstances of the case.  
(iv) Award the cost of the petition in favour of  
the petitioner.*

2. It is the case of the wife that the marriage between parties was solemnized on 08.01.2024 as per Hindu rites and religious customs. Eventually, disputes arose and despite sincere efforts to reconcile, the cohabitation together became intolerable. The parties have been residing separately since June 2024 and over the said period, they have established no matrimonial relationship between them.

3. Given the circumstances, the parties mutually filed a joint petition seeking divorce by mutual consent being Petition No. 159 of 2026, pending before Principal Judge, Family Court, Ghaziabad. During the pendency of the petition, the parties also filed a joint application seeking waiver of the statutory cooling-off period. The Principal Judge, Family Court, Ghaziabad, *vide* order dated 11.03.2026 transferred the said application for adjudication before the Ld. Additional Principal Judge. Aggrieved, the wife preferred writ petition under Article 227 of the Constitution of India seeking reliefs as

mentioned in paragraph 1.

4. We heard learned counsel for the petitioner-wife and also the wife who joined through video conferencing. On a query put to the wife, she stated that it is case of irretrievable breakdown of marriage, which is not refuted by the counsel for the respondent-husband. Considering the aforesaid, we issued notice in the matter and granted liberty to the parties to file joint application seeking invocation of powers under Article 142 of the Constitution of India for dissolution of marriage by grant of decree of divorce by mutual consent.

5. In compliance, the parties have filed I.A. No. 165321 of 2026<sup>1</sup> praying as under -

- i. Dissolve the marriage between the parties by way of Decree of Divorce by Mutual Consent by invoking inherent powers under Article 142 of the Constitution of India; and*
- ii. Pass such other and further order it may deem fit and proper under the circumstances of the case.*

6. We have perused the application and relevant records. It is evident that the marriage between the parties was solemnized on 08.01.2024 and that they have been living separately since June 2024. The parties have settled all their disputes and differences amicably. There remains no

<sup>1</sup> Joint application under Article 142 of Constitution of India for dissolution of Marriage by decree of divorce by way of mutual consent, dated 23.05.2026.

possibility of reconciliation or resumption of cohabitation. Continuation of the matrimonial relationship would serve no useful purpose and would only prolong the agony of the parties.

7. The petitioner-wife joined virtually while respondent-husband appeared personally. We have interacted with both of them. During interaction it is informed by them that the possibility of union is not there and they wish to have a decree of divorce by mutual consent for which joint application for dissolution of marriage by decree of divorce by way of mutual consent has been filed by them. We are satisfied that this is a fit case for exercise of powers under Article 142 of the Constitution of India. Accordingly, I.A. No. 165321 of 2026 is allowed. The marriage solemnized between the parties on 08.01.2024 is hereby dissolved by a decree of divorce by mutual consent in exercise of powers under Article 142 of the Constitution of India.

8. The pending Petition No. 159 of 2026 before the Principal Judge, Family Court, Ghaziabad shall stand disposed of in view of the present order. All pending applications, if any, shall also stand disposed of.

9. Accordingly, the present petition stands disposed-of.

....., J.  
[J.K. MAHESHWARI]

....., J.  
[ATUL S. CHANDURKAR]

New Delhi;  
May 27, 2026.

ITEM NO.55

COURT NO.3

SECTION XI

**S U P R E M E C O U R T O F I N D I A**  
**RECORD OF PROCEEDINGS**

Petition(s) for Special Leave to Appeal (C) No. 17507/2026

[Arising out of impugned final judgment and order dated 03-04-2026 in MUA227 No. 4321/2026 passed by the High Court of Judicature at Allahabad]

SHAGUN RANA

Petitioner(s)

VERSUS

SHIVAM TANWAR

Respondent(s)

(IA No. 150734/2026 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No. 150735/2026 - EXEMPTION FROM FILING O.T.)

Date : 27-05-2026 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE J.K. MAHESHWARI  
HON'BLE MR. JUSTICE ATUL S. CHANDURKAR

For Petitioner(s) :

Ms. Sweta Rani, AOR  
Ms. Lakshita Kaushik, Adv.  
Mr. Varun Chaudhary, Adv.

For Respondent(s) :

Mr. Tushar Swami, Adv.  
Mr. Nihal Ahmad, AOR  
Mr. Prakhar Singh Sengar, Adv.  
Mr. Manan Agrawal, Adv.  
Ms. Sakshi Singh, Adv.

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

1. The present petition stands disposed of in terms of the signed order. All pending applications, if any, shall also stand disposed of.

(NIDHI AHUJA)  
DEPUTY REGISTRAR

(NAND KISHOR)  
ASSISTANT REGISTRAR

[Signed order is placed on the file.]