

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE JURISDICTION

MISC. CIVIL APPLICATION NO.65/2015

Mrs. Pooja Tushar Sagar @
Pooja Kirtikumar Thakkar

...Applicant

V/s.

Mr. Tushar Kantilal Sagar

...Respondent

Mr. Amod Kumar for the Applicant.

Mr. Tushar Kantilal Sagar, Respondent in person.

CORAM: K.K. TATED, J.

DATED : OCTOBER 16, 2015

P.C. :

1. Heard the learned counsel for the Applicant and Respondent party in person.
2. This Application is made by wife under section 24 of the Code of Civil Procedure, 1908 for transfer of divorce petition No.A-3199/2013 filed by Respondent husband in the Family Court at Bandra to the Court of Civil Judge, Senior Division, Pune for hearing and final disposal on merits.
3. In this proceeding, by consent of the parties, Advocate Mr. P. B. Shah was appointed as a Mediator to explore the possibility of settlement. The counsel for the Applicant as well as the Respondent in

person submit that the matter is settled between the parties. They tendered compromise terms dated 16/10/2015 duly signed by the Applicant as well as the Respondent and Advocate for the Applicant. Same is taken on record and marked "X" for identification.

4. The learned counsel for the Applicant submits that as per compromise terms, both the parties would file appropriate Application before the Family Court at Bandra in petition No.A-3199/2014 for converting the same into Application for divorce by mutual consent. He further submits that the Applicant Mrs. Pooja Tushar Sagar would immediately withdraw her Application being M.A.No.1012/2014 filed under section 12 of the Protection of Women from Domestic Violence Act, 2005 in the court of Judicial Magistrate, First Class, Pimpri. He further submits that the Respondent husband filed criminal complaint under section 385, 420 read with 34 of the Indian Penal Code with Kandivli (W) Police Station vide FIR No.150/2015. He further submits that the Applicant filed criminal Writ Petition No.2493/2015 under section 482 of the Code of Criminal Procedure for quashing the FIR. The Respondent party in person submits that he will appear in criminal Writ Petition No.2493/2015 and file an Affidavit-in-Reply stating that he has no objection to allow the same, in view of the over-all settlement in the matter. Statement is accepted.

4. The Misc. Civil Application stands disposed off as per the compromise terms dated 16/10/2015.

5. Issuance of certified copy along with compromise terms is expedited.

6. It is needless to state that the efforts made by Adv. Mr. P. B. Shah, as a Mediator to settle the matter amicably, are highly appreciated.

(K.K. TATED, J.)