

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

**FAMILY COURT APPEAL NO. 136 OF 2014
IN
PETITION NO. A-660 of 2009**

Mr.Amit Kumar S. Chaubey ..Appellant

v/s.

Smt. Ashu (Yasmin) Amit Kumar ..Respondent

Mr. A.A.Mirza for the Appellant.
Mr.Omprakash Pandey for the Respondent.

**CORAM : RANJIT MORE &
SMT. ANUJA PRABHUDESSAI,JJ.
DATED : AUGUST 14, 2015.**

P.C.

1. The parties have settled their disputes amicably and have filed the consent terms as follows:

- i) It is agreed by and between the appellant and the respondent that all the disputes between them is amicably settled in the terms of this consent terms and marriage between the Appellant and Respondent is

dissolved by Order and Decree dated 18.7.2013 passed in Family Court Appeal No.102 of 2012 by High Court Bombay and Appellant and Respondent are set free to remarry.

ii) The Appellant agrees and undertakes that he shall pay Rs.5,00,000/- (Rupees Five Lacs Only) to the Respondent being permanent alimony charges on/or before 13th October, 2015 to the Respondent being the full and final settlement claim amount.

iii) It is agreed and undertaken by and between the parties, that the Case No.96/PW/2009 pending in the Metropolitan Magistrate's 22nd Court, at Andheri, Bombay will be withdrawn by Smt. Renu Tiwari, sister of the Appellant and not pressed by the Appellant and his sister Smt. Renu Tiwari.

iv) It is agreed and undertaken that Case No.97/PW/2009 pending in the Metropolitan Magistrate's 22nd Court at Andheri, Bombay will be withdrawn by the complainant Smt. Noorjahan Salim

Shaikh, the mother of the Respondent.

v) That the Case No.2238/PW/2008 out of C.R.No.494 of 2008 of Sahar Police Station, Bombay, wherein the respondent is a complainant and the appellant and his father Sudeshwar Chaubey and Smt. Jamwanti Chaubey, mother of the appellant and Smt. Renu Tiwari, sister of the appellant and Triloki Tiwari, brother-in-law of the appellant and Smt. Reema Dubey, sister of the appellant and Mr. Sangam Dubey, brother-in-law of the appellant are accused and which is non compoundable offence and therefore, the Case No.2238/PW/2008 is required to be quashed and said proceedings stand closed.

vi) That the recovery application filed by the respondent in the Hon'ble Family Court, Bandra, Bombay in Family Petition No.A-660 stands closed subject to the payment of Rs.5,00,000/- on /or before 13.10.2015 as agreed in clause 2 of this consent terms.

vii) That the Appellant undertakes to this Hon'ble

Court that appellant shall pay Rs.5,00,000/- being permanent alimony charges to the respondent on/or before 13.10.2015 as per clause 2 of this consent terms.”

2. The consent terms are signed by the Appellant, Respondent and their respective counsel. Both appellant and respondent are personally present before the Court. On specific query they state that they have gone through the consent terms and confirmed the contents thereof. The consent terms are taken on record and marked “X” for identification.
3. Undertaking of the parties is accepted.
4. Appeal is disposed of in terms of the consent terms.

(ANUJA PRABHUDESSAI, J.)

(RANJIT MORE, J.)