

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

FAMILY COURT APPEAL No. 109 OF 2010

Mehul Vinod Mehta. ..Appellant.
Versus
Shivani Mehul Mehta. ..Respondent.

WITH
FAMILY COURT APPEAL No. 165 OF 2010

Shivani Mehul Mehta. ..Appellant.
Versus
Mehul Viond Mehta. ..Respondent.

Ms. Najafiya Shroff i/b Mr. P. M. Havnur for the Appellant in FCA No. 109/10 and for the Respondent in FCA No. 165/10.

Mr. Basil Menzes for the Appellant in FCA No.165/10 and for the Respondent in FCA No. 109/10.

Coram : RANJIT MORE &
SMT. ANUJA PRABHUDESSAI, JJ.
Date : **February 24, 2015.**

P. C. :

1. Parties have settled their disputes amicably and have filed consent terms dated 24th February 2015 as under :

"CONSENT TERMS

That the parties to the proceedings hereinabove have mutually agreed to resolve their issues amicably for one time settlement and arrive at the following terms :

1. It is agreed between the parties that an amount of Rs.18 lakhs would be paid to the

Respondent wife in three equal installments of four months, first instalment of Rs.6 lakhs shall be deposited in the first week of July 2015 and second instalment of Rs.6 lakhs shall be deposited in the first week of November 2015 and third instalment of Rs.6 lakhs shall be deposited in the first week of March 2016.

2. The said amount shall be deposited by Mr. Mehul Metha with the Registry of the Hon'ble High Court and out of the amount of Rs.18 lakhs, an amount of Rs.10 lakhs be invested in fixed deposit in the name of daughter, Siya until she attains the age of 18 years and the said money with accumulated interest shall be utilized for daughter Siya's future/higher education. The balance amount of Rs.8 lakhs, Respondent wife shall have the liberty to withdraw the same.
3. It is agreed between the parties that the husband undertakes to borne out the school/ (higher education) tuition fee of the minor daughter, Siya in actual.
4. It is agreed between the parties that till payment of the above amount, the husband will make payment of the monthly installment of Rs.10,000/- towards interim maintenance upto March 2016 till payment.
5. It is agreed between the parties that the access of daughter Siya, modalities with respect to overnight weekend stay shall be worked out by Dr. Harish Shetty and if daughter desires to stay with the Petitioner Mr. Mehul Mehta for a longer time for sharing vacations, the Respondent wife shall consent to the same.
6. The passport deposited in the Court of the minor child Siya is returned to the Respondent.
7. No order as to cost"

2. Consent terms are signed by the parties as well as by their respective advocates. Both parties are present before the Court. They have submitted that they have gone through the consent terms and the same are acceptable to them. Consent terms are taken on record and marked "X" for identification. Undertakings given by the parties are accepted.

3. Parties submitted that Family Court Appeals be disposed of in terms of the consent terms. In that view of the matter, appeals are disposed of in terms of the consent terms. Decree be drawn up in terms of the consent terms.

4. In view of the disposal of appeals, civil application, if any, taken out in these appeals, does not survive and same accordingly stands disposed of.

[SMT. ANUJA PRABHUDESSAI, J.]

[RANJIT MORE, J.]