

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

FAMILY COURT APPEAL NO.133 OF 2012
ALONG WITH
CIVIL APPLICATION NO.311 OF 2015

Raju Arun Shinde		Appellant
V/s.		
Vaishali Raju Shinde		Respondent

Mr. Venkatesh A. Shastry for the Appellant.

None for the Respondent.

CORAM : V.M. KANADE &
DR. SHALINI PHANSALKAR-JOSHI, J.J.

DATE : 8TH OCTOBER, 2015.

P.C. :

1. Parties have amicably settled the dispute during the pendency of the Appeal. Appellant/husband has filed Petition for divorce in the Family Court at Pune. The Family Court, however, dismissed his Petition. Against that order, this Appeal is preferred, which is pending since last one year.

2. A Civil Application is taken out, to which Consent Terms are annexed. By consent of the parties, Petition for divorce is converted into Petition for divorce by mutual consent under Section 13(1)(b) of the Hindu Marriage Act. We are satisfied that dissolution of marriage by consent is in the interest of both the parties. Hence, it is not necessary to keep the

matter pending for six months. As per the provisions of Section 13(1)(b) of the Hindu Marriage Act, the marriage, accordingly, is dissolved by consent of the parties. Both the parties are present in the Court. They have reiterated whatever they have stated in the Consent Terms annexed to the Civil Application. Decree of Divorce is, therefore, passed by mutual consent, as per the Consent Terms. The impugned order dated 17th August, 2012 passed by the Family Court, Pune in Petition No.A-951 of 2010 is set aside.

3. Appeal and Civil Application thereto is disposed of in terms of the Consent Terms.

[DR. SHALINI PHANSALKAR-JOSHI, J.]

[V.M. KANADE, J.]