

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

FAMILY COURT APPEAL No. 214 OF 2013

Tanvi Siddharth Mtatkar. ..Appellant.
Versus
Siddharth M. Mutatkar. ..Respondent.

Mr. B. G. Tangsali for the Appellant.
Mr. O. V. Warange for the Respondent.

Coram : RANJIT MORE &
SMT. ANUJA PRABHUDESSAI, JJ.
Date : **January 9, 2015.**

P. C. :

1. On 11th November 2014, parties tendered consent terms before this Court, which read thus :

“CONSENT TERMS

1. The Appellant agrees & accepts the decree of divorce passed by the Ld. Honourable Family Court in M. J. Petition No. A-1723 / 2009 in respect of clause No.2only.
2. The Respondent agrees and undertakes to pay permanent alimony to the Appellant to the tune of Rs.12,00,000/- (Rupees Twelve Lakhs only) being total alimony and the appellant agrees for the same towards full and final settlement.
3. Respondent agrees and undertakes to pay Rs.6,00,000/- (Rupees Six Lakhs only) out of agreed of Rs.12,00,000/- (Rupees Twelve Lakhs only) vide Cheque bearing No.047640, dated 11.11.2014 drawn on IDBI Bank, Branch Sion (W) Mumbai, at the time of filing present consent terms on 11.11.2014.
4. Respondent agrees and undertakes to pay balance amount of Rs.6,00,000/- (Rupees Six Lakhs only) to the appellant on or before 30th December, 2014, by way of Pay Order or Demand Draft in favour of the Appellant.

5. On the date of receipt of balance amount of Rs.6,00,000/- from the Respondent, the appellant agrees and undertakes to withdraw M. P No.A-582 / 2010, under the provision of Section 9 of Hindu Marriage Act, pending before the Ld. Family Court, Thane and Criminal Miscellaneous Application No.E-358 / 2010, under the provisions of Sec. 125 of Criminal Procedure Code.

6. Appellant agrees and undertakes to give access of their daughter viz, Mrunal to the Respondent on every 4th Sunday of each calendar Month and on her birthday on every 25th November, in between 5 to 7 p.m. at Talao Pali Garden, Thane.

7. The Appellant shall maintain all expenses and future need of daughter out of aforesaid permanent alimony and the appellant Confirms and declares that, the Respondent shall not be responsible for the expenses of daughter including education and marriage, save and except the Respondent gives to his daughter of his own free will.

8. Appellant and Respondent agree not to have any future claim of whatsoever in nature in property and assets of respective parties. Both the parties to this appeal are withdrawing whatever allegations made against each other.

9. This Hon'ble Court may be pleased to pass an appropriate order and dispose off present Family Court Appeal in terms of present consent terms.

10. No Order as to costs."

2. Today both parties are personally present before the Court. They submitted that consent terms are complied with and therefore appeal may be disposed of in terms of the consent terms. In the light of above, appeal is disposed of in terms of the consent terms. Decree be drawn up in terms of the consent terms.

[SMT. ANUJA PRABHUDESSAI, J.]

[RANJIT MORE, J.]