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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
PARSI SUIT NO. 1 OF 2015**

Paurusasp Magol ...Plaintiff No. 1

Versus

Maharokh Magol ...Plaintiff No. 2

Ms. Armaity S. Khushrushahi, for the Plaintiffs.

**CORAM: G.S. PATEL, J
DATED: 20th January 2015**

PC:-

1. This is a Petition for divorce by mutual consent under Section 32-B of the Parsi Marriage & Divorce Act, 1936. The Plaintiffs are both personally present in Court. They have each filed an affidavit in lieu of examination-in-chief. These affidavits are dated 9th January 2015. Today on oath, they confirm the correctness of what is stated in these affidavits.

2. The Plaintiffs were married on 20th November 1998 in Mumbai in accordance with Zoroastrian rites and customs. Both Plaintiffs are Parsis. They have one child, a son named Dinshaw, born on 5th July 1999.

3. After marriage, both Plaintiffs lived together as man and wife at Ahmednagar, where the 1st Plaintiff – husband owns a bungalow. He resides there permanently.

4. Over time, differences arose between the Plaintiffs. They found themselves to be incompatible and were unable to live a harmonious life together. For the sake of their child, they continued with the marriage for some time. However, the differences grew sharper, and there was also tension in the house. Attempts at a reconciliation were unsuccessful.

5. Finding it impossible to live together, the 2nd Plaintiff – wife left the matrimonial house on 11th February 2003. She started residing in Mumbai, where she stays even today. The Plaintiffs have thus been living apart for more than one year since about February 2003. They have agreed to take a divorce by mutual consent. They have drawn up consent terms and these are at Exhibit “B” to the plaint. These are signed by Ms. Khushrushahi, learned Advocate for the Plaintiffs and by each of the Plaintiffs as well. I have seen the consent terms and they seem to be in order. The undertakings in the consent terms are accepted as undertakings to the Court. There is no impediment to the grant of reliefs sought.

6. In the result, the Suit is decreed in terms of prayer clauses (a) and (b). The marriage of the parties is dissolved by mutual consent. There will also be a decree in terms of the consent terms. Drawn up decree dispensed with.

7. All concerned to act on an authenticated copy of this order.

(G. S. PATEL, J.)