

Shephali

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
PARSI SUIT NO. 15 OF 2015

Sharon Adi Batliwalla	...Plaintiff No.1
<i>And</i>	
Neville Viraf Suraliwala	...Plaintiff No. 2

Ms. A. Khushrushahi, *for the Plaintiffs.*

CORAM: G.S. PATEL, J
DATED: 4th September 2015

PC:-

1. This is a Petition for divorce by mutual consent under Section 32-B of the Parsi Marriage and Divorce Act, 1936. The 1st Plaintiff is the wife. The 2nd Plaintiff is the husband. They were married on 10th January 2013 in Mumbai according to Zoroastrian rights and customs. This was the first marriage for both. They have no children. After marriage both the Plaintiffs lived as man and wife at D/417 Raj Satyam Building, Maruti Nagar, Ashok Van, Dahisar (East), Mumbai - 400 068.

2. Very shortly after their marriage, within the year in fact, serious differences arose between the Plaintiffs. Attempts at reconciliation both between themselves and also with the intervention of family and friends did not succeed. The Plaintiffs found themselves to be completely incompatible. In July 2014, the

1st Plaintiff left the matrimonial home to reside with her parents at Room No. 20, 3rd Floor, Building No. 14, Meherbai Wadia Building, Zoroastrian Colony, Tardeo, Mumbai – 400 007. She lives there still.

3. The Plaintiffs have lived apart for more than a year prior to the filing of the Suit. They have now agreed to take a divorce by mutual consent. They have drawn up consent terms in regard to alimony and other issues. These consent terms are signed by both the Plaintiffs and annexed at Exhibit “B” to the plaint. The statements and undertakings are accepted as undertakings to the Court.

4. Both Plaintiffs are personally present in Court. They have each filed an Affidavit in lieu of examination in chief in which they confirm the correctness of what is stated in the plaint. I am satisfied that there is no force, fraud coercion or undue influence nor any delay in filing the Suit.

5. In view thereof, the marriage of the parties is dissolved by mutual consent. There will be also a decree in terms of the consent terms, annexed at Exhibit “B” to the plaint. The suit is decreed in terms of prayers (a) and (b).

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

7. Decree to be drawn accordingly.

(G. S. PATEL, J.)

“I certify that this Judgment /Order uploaded is a true and correct copy of original signed Judgment/Order.”

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