

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR.

Family Court Appeal No.256/2014

(Dinesh Kashinath Moundekar .vs. Smt. Smita Dinesh Moundekar)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders or directions
and Registrar's orders

Court's or Judge's orders.

Mr. A.B. Mirza, Advocate for Appellant.
Mrs. Padma Chandekar, Advocate for Respondent.

CORAM : B.R. Gavai & C.V. Bhadang, JJ.
DATED : March 11, 2015.

1. The matter has been amicably settled between the parties. The consent terms are filed on record.

2. The parties have agreed to take divorce by mutual consent in the present appeal. As per the consent terms, the appellant has deposited an amount of Rs.3,75,000/- in the Family Court, Nagpur towards permanent alimony of the respondent and son of the appellant and the respondent namely Archit. The respondent-wife has agreed to waive her right of maintenance. It has been further agreed that the custody of the child will be with mother, however, the appellant would be at liberty to see his child as per his wish.

3. It has been further agreed that the appellant shall cooperate with the respondent for enrollment of the name of the child Archit so that the medical facilities which are available to the appellant as an employee of the Central Government, would be available to the child of the appellant and the respondent. It has been further

agreed that the respondent has received all her articles as per the consent terms executed before the learned Mediator and the respondent has no grievance against the appellant. The respondent has agreed to withdraw the case of domestic violence bearing Misc. Criminal Application No.111/2013 pending before the J.M.F.C. Court, Nagpur.

4. In that view of the matter, the appeal is allowed. The marriage of the appellant and the respondent is dissolved by consent as provided under Section 13-B of the Hindu Marriage Act,1955. The undertaking given in the consent terms is treated as an undertaking given to this Court.

5. The appellant shall take necessary steps for enrollment of name of son Archit so that son gets medical facility for which the son is entitled to, as a son of the appellant, who is an employee of the Central Government.

6. The proceedings in Misc. Criminal Application No. 111/2013 pending before the learned J.M.F.C. , Nagpur stand quashed and set aside.

JUDGE

JUDGE