

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 1123 OF 2007

Mrs.Anuradha Ramesh Mahale.	...	Petitioner.
V/s.		
Ramesh Bapurao Mahale.	...	Respondent.

None for the petitioner.
S.A.Abhyankar for the respondent.

CORAM : D.H.WAGHELA, C.J.

DATE : 10th August 2016.

P.C. :

The petition under Article 227 of the Constitution is filed with the main prayer to set aside the judgment and decree of divorce dated 10th October 2006 passed by Family Court No.2, Mumbai in M.J.Petition No.A-1569/2005. The petition does not seem to have been pursued or attended since a long time after its admission and the grant of interim reliefs i.e. order of interim maintenance and stay against the operation of the impugned order. Neither the petitioner nor anyone on her behalf is present, even as learned counsel for the respondent has remained present and, today, kept even the respondent personally present before the Court. He is identified by learned counsel Mr.Abhyankar and with his signature an application is placed on record, which reads as under:

“The Petitioner and Respondent are cohabiting with their son and daughter-in-law at Nashik.

All disputes are resolved and respondent is retire and taking care of the petitioner.

The Respondent has also got his daughter married in Jan. 2016.

Respondent undertakes to look after Petitioner all her life and request the Court to allow the petition & set aside order passed by Family Court dissolving marriage.”

2. In view of the above submissions, made orally and in writing, with the signature of the respondent and learned counsel, the petition is allowed by consent. Consequently, the impugned order dated 10th October 2006 dissolving the marriage between the petitioner and the respondent is set aside and the interim orders made herein are vacated. It is stated at the bar, on the instructions of the respondent, that all the amounts deducted from the salary of the respondent till his retirement are and will remain with the petitioner.

3. The petition is accordingly disposed as allowed with no order as to costs.

CHIEF JUSTICE