

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**FAMILY COURT APPEAL NO. 139 OF 2016
WITH
CIVIL APPLICATION NO. 223 OF 2016**

Smt. Bharati Pradip Johar @
Bharati Gopal Dhamai ..Appellant/Applicant

v/s.

Shri Pradip Kumarlal Johar ..Respondent

Mr. R.B.Patil for the Appellant/Applicant
Mr. L.S.Gaikwad i/b. Mr. S.H.Joshi for the Respondent.

**CORAM : A.S.OKA & ANUJA PRABHUDESSAI, JJ.
DATED : 17TH NOVEMBER, 2016**

P.C.

1. The learned Counsel appearing for the appellant and the learned Counsel appearing for the respondent tender Consent Terms dated 17th November, 2016. The Consent Terms have been signed by the appellant and the respondent. The appellant and respondent, who are personally present in the Court, through their respective

learned Counsel state that the contents of the Consent Terms are true and correct and that they have voluntarily signed the Consent Terms. The Consent Terms have been signed by the respective Advocates. The learned Counsel appearing for the respondent-husband has handed over to the learned Counsel appearing for the appellant a bankers' cheque dated 10th November, 2016 bearing cheque no. 286898 drawn on Punjab National Bank, Ulhasnagar Branch, in terms of prayer clause 2(a) of the Consent Terms. He has also handed over to the Counsel for appellant a cheque bearing number 315248 dated 17th November, 2016 drawn on Punjab National Bank, Ulhasnagar Branch, in favour of the appellant. On instructions from the respondent, the learned Counsel appearing for the respondent states that the respondent shall ensure that the cheque is honoured. We accept the said statement as an undertaking of the respondent.

2. The statements of both appellant and respondent, which are recorded in the Consent Terms are accepted as their respective undertakings. The Consent Terms are taken on record and marked "X-1" for identification.

3. Accordingly, by consent of the parties, we dispose of the appeal by passing following order:-

ORDER

- i) Appeal is disposed of in terms of the Consent Terms taken on record and marked "X-1" for identification.
- ii) Undertakings as aforesaid are accepted.
- iii) The Decree shall be drawn in terms of the Consent Terms.
- iv) In view of the disposal of the appeal, Civil Application No.223 of 2016 does not survive and the same is disposed of.

(ANUJA PRABHUDESSAI, J.)

(A.S.OKA, J.)