

SHEPHALI

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
PARSI SUIT NO. 10 OF 2016

Sharmeen S. Mavandadnejad ...Plaintiff No. 1
And
Shahram S. Mavandadnejad ...Plaintiff No. 2

Mrs. A.S. Khushrushahi, *with Ms. N.M. Almeida, for the Plaintiffs.*

CORAM: G.S. PATEL, J
DATED: 22nd June 2016

PC:-

1. This is a Petition for divorce under Section 32-B of the Parsi Marriage & Divorce Act, 1936. The Plaintiff No. 1 is the wife. The Plaintiff No. 2 is the husband. They were married on 18th December 2001 in Mumbai according to Zoroastrian rights and customs. They have no children.
2. After marriage they lived together as man and wife at J-Cusrow Baug, Flat No. 11, Shahid Bhagat Singh Road, Colaba, Mumbai – 400 039. This flat was on leave and license in the joint names of the Plaintiffs.
3. Some years after marriage, the Plaintiffs found that irrevocable differences had arisen between them. They found

themselves to be incompatible. All attempts by their family members, relatives and friends at reconciliation failed.

4. The Plaintiffs agree that from January 2015 they have been living apart although under same roof. All matrimonial and conjugal ties have been severed since then. Finally, since there continued to be friction, in May 2015 the Plaintiff No. 2 moved out of the flat and took up residence in another building at 2nd Pasta Lane, Colaba, Mumbai.

5. The parties have agreed to seek a divorce by mutual consent. They have arrived at Consent Terms. These are signed by both the parties and annexed to the plaint at Exhibit "B". I have seen the Consent Terms. I am satisfied that the Consent Terms are not contrary to the law and have been arrived at by the parties of their own volition in reflection of their true intention and wishes.

6. Both Plaintiffs have tendered Affidavits in lieu of examination-in-chief. Their evidence is separately recorded.

7. The undertakings in the Consent Terms, if any, are accepted as undertakings to the Court.

8. The Petition is made absolute in terms of prayer clauses (a) and (b). The marriage of the parties is dissolved under Section 32B of the Parsi Marriage and Divorce Act, 1936. There will also be an decree in the suit in accordance with the Consent Terms.

9. Decree to be drawn up accordingly.
10. All concerned to act on an authenticated copy of this order.

(G. S. PATEL, J.)