

-1-

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**FAMILY COURT APPEAL NO.4/2014 WITH
CIVIL APPLICATION NO.1633/2014**

Sau.Vaishali @ Sandhya w/o Pundlik
@Sudhakar Shejul,
Age 26 years, Occu-Household,
R/o Harsool, Wankhede Nagar
Aurangabad
C/o Arjun Sakharam Bhalerao (Father) .. APPELLANT
[orig.Respondent]

Versus

Pundlik @ Sudhakar S/o
Ganpat Shejul,
Age 28 years, Occu-private service
R/o Santhoshi Mata Nagar
Mukundwadi, Aurangabad .. RESPONDENT

...

Adv.Mr.V.D.Patnoorkar for appellant
Adv.Mr.E.G.Irale for respondent.

...
**CORAM : S.V.GANGAPURWALA &
MANGESH S. PATIL,JJ.**

DATE : 23/08/2017

PER COURT :-

The present appeal is filed against the order passed by Family Court, granting decree of divorce on a Petition filed by the respondent.

2] We have heard learned counsel for the appellant and the learned counsel for the respondent. The learned counsel submits that the parties have settled the matter. They have agreed to reside together alongwith their child. The compromise purshis/terms are signed by the appellant and the respondent. They are identified by their respective advocates. The appellant and the respondent admit the terms of the compromise.

3] The reasonings given by the Family Court for granting decree of divorce cannot be sustained. Only vague averments were made with regard to the allegations of cruelty. The Court has observed that relations between the parties has gone to such an extent that there is no possibility of them, to come together in future. The same certainly cannot be a ground to grant decree for divorce. Moreover, said observation stands negatived, when the parties have filed compromise terms before the Court. Accordingly they have agreed to reside together alongwith their son.

4] In light of the above and the terms of compromise, which are taken on record, the impugned judgment and decree passed by the Family Court, is quashed and set aside. The petition for divorce filed by the present respondent, stands dismissed.

5] The parties have agreed to reside together as per the terms of the compromise, further decree be passed in terms of the compromise. Family Court Appeal accordingly stands disposed. No order as to costs.

6] In view of disposal of Appeal, Civil Application stands disposed of.

(MANGESH S. PATIL,J.) (S.V.GANGAPURWALA,J.)

umg/