

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

MISC.CIVIL APPLICATION NO.113 OF 2017
(Swati Ganesh Damale Vs. Ganesh Bhaskar Damale)

Mr.A.A.Yadkikar, Advocate for the applicant.
Mr.V.B.Jagtap, Advocate for the respondent.

CORAM : RAVINDRA V. GHUGE, J.)

DATE : 15/12/2017

PER COURT :

1. The mediation report of the learned Mediator Mr.S.K.Kadam is placed on record, which indicates that the mediation process was successful and the parties have arrived at compromise terms on 14/12/2017.

2. Learned Advocates jointly submit that the applicant wife and the respondent husband are present in the Court and they identify their respective clients. It is further submitted that this application can be disposed of as both the parties would be appearing before the learned Family Court at Kalyan on 10/01/2018. The blank space in paragraph No.5 is now filled up and the said date is communicated to the Court.

3. It is further jointly submitted that considering that the consent divorce decree would be arrived at on 10/01/2018, further deductions towards the payment of maintenance amount, pursuant to earlier orders, from the salary of the husband, can be stopped effective from the salary for February 2018, which is payable in March 2018. It is pointed out that this arrangement is set out in paragraph Nos. 7 and 8 of the consent terms.

4. The mediation report placed on record, which is inclusive of the consent terms, is collectively marked as Exhibit "X" for identification and same shall be an integral part of this order.

5. In the light of the above, this application is disposed of in terms of consent terms "X". The competent department of the Indian Army which orders the deduction of amount, towards maintenance, from the salary of the husband, shall take note that such deduction from his salary shall be stopped w.e.f. February 2018, meaning thereby that there shall be no deduction from his salary for the month of February 2018 payable in March 2018.

6. Needless to state, since the mediation report is an integral part of this order, disobedience of any of the conditions set out in Exhibit

“X”, shall amount to violation of the consent terms and the order of this Court.

7. As a part compliance of the consent terms, Office shall accept the demand draft for an amount of Rs.4,00,000/- which the respondent/husband is depositing in this Court on or before 20/12/2017. The applicant/wife will be at liberty to withdraw the said amount without conditions subject to identification by the learned Advocate.

(RAVINDRA V. GHUGE, J.)