

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

FAMILY COURT APPEAL NO. 29 OF 2009

Prakashbhai Kandubhai Patel	...	Appellant
V/s.		
Rakshaben Prakash Patel	...	Respondent

**WITH
FAMILY COURT APPEAL NO. 82 OF 2009**

Prakashbhai Kandubhai Patel	...	Appellant
V/s.		
Rakshaben Prakash Patel	...	Respondent

- Mr.Chintan Shah i/b. Mr.Sandesh D. Patil for the Appellant.
- Mr.Datta Pawar for the Respondent.

**CORAM : SMT. V.K. TAHILRAMANI &
DR. SHALINI PHANSALKAR-JOSHI, J.J.**

DATE : 7th SEPTEMBER, 2017.

PER COURT :

1] Heard learned counsel for the the Appellant-husband and learned counsel for the Respondent-wife.

2] Family Court Appeal No.29 of 2009 has been preferred by the Appellant-husband as his petition for divorce on the ground of cruelty came to be dismissed. Whereas, Family Court Appeal No.82 of

2009 has been preferred by the Appellant-husband as the wife's petition for restitution for conjugal rights came to be allowed by the Family Court, Mumbai.

3] Learned counsel for both the sides state that on the last date i.e. 10th March 2017, the matter has been amicably settled between the parties and consent terms were also tendered, which have already been taken on record. As per the consent terms Rs.8,75,000/- was to be paid to the Respondent-wife. In the order dated 10th March, 2017 passed by this Court, it is reflected that settlement will be come into effect after the entire amount of Rs.8,75,000/- is paid by the Appellant-husband to the Respondent-wife. The Appellant-husband has agreed to pay the said amount within a period of six months from that date i.e. 10th March, 2017.

4] Today the Appellant-husband as well as the Respondent-wife are present in the Court. They also state that they have amicably settled the matter and they have prepared the consent terms and voluntarily signed the same. The Respondent-wife states that she has received Rs.1,00,000/- on 14th March, 2017 and the balance amount of Rs.7,75,000/- was paid to her by Demand Draft dated 18th August,

2017. Thus she confirms receipt of Rs.8,75,000/-.

5] Pursuant to the consent terms marriage between the parties is dissolved by mutual consent.

6] Both the Family Court Appeals are disposed of in view of the consent terms. Decree be drawn up accordingly.

(DR. SHALINI PHANSALKAR-JOSHI, J.) (SMT. V.K. TAHILRAMANI, J.)