

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

**SECOND APPEAL NO.208 OF 2014
WITH
CIVIL APPLICATION NO.544 OF 2014**

Mr. Mukesh Manghandas Adwani ... Appellant

Versus

Mrs. Anju @ Lajwanti Mukesh Adwani ... Respondent

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Ms. Minal Chandnani i/b Jaiwant Chandnani for the Appellant.

Mr. Deepak K. Girme for Respondent.

Mrs. Anju Adwani, the Respondent present.

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CORAM : S.C.GUPTE, J.

DATE : 16 JANUARY 2017

P.C. :

. Heard learned Counsel for the parties.

2 This second appeal challenges the judgment and decree passed by the learned District Judge at Pune, dismissing Civil Appeal No.345 of 2011. The civil appeal was from the judgment and order of the Civil Judge, Senior Division at Pune, by which the Appellant's petition for divorce was dismissed and the counter claim of the Respondent for restitution of conjugal rights was allowed. During the pending of the second appeal, the parties were referred to mediation by this Court. Learned Mediator has submitted his report to this Court as of 4 January 2017, communicating the parties' agreement to dissolve their marriage on the terms and conditions agreed between them. Consent Terms agreed between the parties before

learned Mediator have been duly performed in respect of the payment of permanent alimony and also as regards the exchange of respective belongings of the parties. Learned Counsel for the parties confirm to this Court that the consent terms have been duly performed and in terms of the consent terms, they seek dissolution of their marriage.

3 Accordingly, the impugned orders of the Civil Judge, Senior Division, Pune dated 30 March 2011 and the District Judge-11 at Pune, are quashed and set aside by consent of the parties and the original Marriage Petition No.112 of 2008 is allowed by dissolving the marriage solemnized between the Appellant and the Respondent on 24 December 2003 by a decree of divorce. Decree of divorce be drawn up accordingly.

4 In view of disposal of the second appeal, the civil application does not survive and the same is also disposed of.

5 No order as to costs.

(S.C. GUPTE, J.)