

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

MISC. CIVIL APPLICATION NO. 112 OF 2017

Sou. Arti Vimlesh Dhobale

...Applicant

vs.

Vimlesh Gorakh Dhobale

...Respondent

Mr. Ajay Joshi, along with Akash Kotecha, for the Applicant.

Mr. Shanay Shah along with Netaji Gawde and Sandeep Dhoble, for the Respondent.

Both the Applicant and the Respondent are present.

CORAM: S.J. KATHAWALLA, J.

DATE: 15th September, 2017

P.C.

1. Heard the learned Advocates appearing for the parties and the following order is passed by consent:

(i) Hindu Marriage Petition bearing No. 584 of 2016 filed by the Respondent-husband and pending before the Civil Judge, Senior Division, at Kalyan shall be converted into a petition for divorce by mutual consent.

(ii) The Respondent agrees to hand over to the Applicant the following pieces of jewellery tomorrow i.e. 16th September, 2017.

One gold ring

One gold chain.

(iii) In addition to the above, the Respondent undertakes to pay an amount of Rs. 2,50,000/- to the Applicant in full and final settlement of all her claims against the Respondent on or before 11th October, 2017, by way of a demand draft drawn in favour of the father of the Applicant.

(iv) The parties and their Advocates shall appear before the Court of Civil Judge, Senior Division, Kalyan, on 12th October, 2017, when the Learned Judge shall allow the parties to convert the Hindu Marriage Petition No. 584 of 2016 into a petition for divorce by mutual consent and the Learned Judge shall forthwith grant divorce by mutual consent to the parties. However, before granting the decree of divorce, the Learned Judge shall ensure that the amount of Rs. 2,50,000/- is paid by demand draft by the Respondent to the Applicant.

(v) The Applicant shall, within a period of two weeks from the date of passing of the decree by mutual consent by the Civil Judge, Senior Division at Kalyan, unconditionally withdraw the application filed by her under Section 125 of the Criminal Procedure Code before the Judicial Magistrate, First Class, Pandharpur, being Criminal Misc. Application No. 829 of 2016 and shall also withdraw the complaint filed with the Police authorities at Pandharpur.

(vi) The parties shall withdraw all the allegations made by them against each other.

(vii) Save and except what is recorded/directed herein, the parties shall have no claim of whatsoever nature against each other. Though the above

Application is disposed off, in case of any difficulty, liberty is granted to the parties to apply before this Court.

(S.J. KATHAWALLA, J.)