

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
MISC. CIVIL APPLICATION NO. 196 OF 2017

Nikita Dhiraj Dave ... Applicant

Versus

Dhiraj Mahendrakumar Dave ... Respondent

Mr. Pratik Rahade i/b. Mr. R.M. Haridas for the Applicant.

Ms. Vimla Vora i/b. Ms. Uma Agarwal for the Respondent.

Ms. Nikita Dhiraj Dave – Applicant, present in person.

Mr. Dhiraj Mahendrakumar Dave – Respondent, present in person.

CORAM : S.J. KATHAWALLA, J.

DATED : 31ST JULY, 2017

(IN CHAMBERS)

P.C.:

1. The learned Advocate appearing for the Respondent on instructions undertakes to file her Vakalatnama on behalf of the Respondent within a period of one week from today. The undertaking is accepted.

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

i. Marriage Petition No. 159 of 2017 filed by the Respondent and pending before the Court of the Civil Judge, Senior Division, Vasai shall be converted into a Petition for divorce by mutual consent.

ii. The Respondent shall pay an amount of Rs. 10 Lacs (Rupees Ten Lacs only) to the Applicant by way of a demand draft in favour of Ms.Nikita Dhiraj Dave on 3rd October, 2017, simultaneously with the Civil Judge, Senior Division, Vasai passing a

Decree of divorce by mutual consent.

iii. On 3rd October, 2017 the parties shall appear before the Court of the Civil Judge, Senior Division, Vasai when they will be allowed to convert Divorce Petition No. 159 of 2017 into a Petition by mutual consent and divorce shall be granted forthwith.

iv. The belongings of the Applicant i.e. clothes, utensils and a gold chain, shall be handed over on 5th August, 2017 at 12.00 noon to the representative of the Applicant by the representative of the Respondent at the entry gate of the Court of the Civil Judge, Senior Division, Vasai.

v. The parties unconditionally withdraw all the allegations made against each other and their family members in the pending proceedings, correspondence and complaints.

vi. The Applicant shall unconditionally withdraw Marriage Petition (Lodging) No. 3636 of 2017 filed by her and pending before the Family Court, Bandra, Mumbai within a period of one week from the date of passing of the Decree by mutual consent by the Court of the Civil Judge, Senior Division, Vasai.

vii. Save and except what is recorded / directed hereinabove, the parties shall have no claim of any nature against each other.

viii. The above Misc. Civil Application is accordingly disposed off with liberty to apply.

(S.J.KATHAWALLA, J.)