

IN THE PARSI CHIEF MATRIMONIAL COURT AT MUMBAI

PARSI SUIT NO. 1 OF 2017

Mrs. Roshni Cyrus Cama	
[Nee Roshni Kersi Variava]	.. Plaintiff No.1
Vs.	
Mr.Cyrus Sohrab Cama	.. Plaintiff No.2

Ms.Nilufer B. Gadiwalla for plaintiffs.

Ms.Roshni Cyrus Cama-Plaintiff No.1 &
Mr.Cyrus Sohrab Cama-Plaintiff No.2]are present in-person.

CORAM : K.R.SHRIRAM, J.
DATE : 6TH FEBRUARY, 2017

P.C.

1 Examination in chief of Plaintiff No.1 by Ms.Nilufer B. Gadiwalla for plaintiffs:-

Name : Roshni Cyrus Cama (Plaintiff No.1)
Age : 34 years,
Occu. : Service,
Residing at : I-A, 104 Salsette Parsi Colony, Pump
House, Andheri (East), Mumbai 400 093.

Plaintiff No.1 is present in Court and is administered oath. On oath,
Plaintiff No.1 states that 'I have signed an affidavit dated 31st January 2017.
I identify my signature on this affidavit. Contents thereof are correct'.

No further examination in chief.

No cross-examination.

The same is taken on record and marked as **Exh.P-1**.

2 Examination in chief of Plaintiff No.2 by Ms.Nilufer B. Gadiwalla for plaintiffs:-

Name : Cyrus Sohrab Cama (Plaintiff No.2)
Age : 37 years,
Occu. : Service,
Residing at : L1/43, Merwanjee Cama Park, Cama
Road, Andheri (West), Mumbai 400 058.

Plaintiff No.2 is present in Court and is administered oath. On oath, Plaintiff No.1 states that 'I have signed an affidavit dated 31st January 2017. I identify my signature on this affidavit. Contents thereof are correct'.

No further examination in chief.

No cross-examination.

The same is taken on record and marked as **Exh.P-2**.

3 This is a suit for divorce by mutual consent under Section 32-B of the Parsi Marriage and Divorce Act, 1936. The 1st Plaintiff is the wife and the 2nd Plaintiff is the husband. They were married on 10th May 2005 according to the Parsi Zoroastrian rites and customs and this was the first marriage for both. There are no issues out of this marriage. After marriage, both lived as husband and wife at the residence provided by the father of Plaintiff No.1 being I-A, 104 Salsette Parsi Colony, Pump House, Andheri (East), Mumbai- 400 093.

4 Though their marriage was normal in the beginning but over the years, they realized that they were totally incompatible as their outlook on life and lifestyles and habits were totally different. Therefore both decided to dissolve their marriage.

5 In view of the above, Plaintiff No.2 moved away in October 2015 and started residing at L1/43, Merwanjee Cama Park, Cama Road, Andheri (West), Mumbai-400058. Plaintiff No.1 and Plaintiff No.2 have been residing separately since October 2015. Plaintiff No.1 also states that despite their best to make the marriage work, they have been unable to do so. The Consent Terms, dated 17th January 2017 between the parties is annexed at Exh.'B' to the plaint. It is also stated in the Consent Terms that all their personal belongings, gifts, jeweleries etc. which were presented at the time of marriage and other belongings owned by them jointly have already been exchanged and no exchange of any articles is pending between them. It is also stated in the Consent Terms that as both the Plaintiffs are gainfully employed, they do not claim any alimony from each other nor do they intend to do so at any time in future notwithstanding any change of circumstance.

The statement in the consent terms are accepted as undertaking to this Court.

6 Both the Plaintiffs are present in Court and have tendered affidavits in lieu of examination in chief which have been received in evidence and marked as **Exh.P-1** and **Exh.P-2**, respectively.

7 I do not find any impediment to the grant of relief. Therefore, the marriage of the parties is dissolved by mutual consent. The suit is decreed in terms of prayer clauses (a) and (b).

8 Decree be drawn up expeditiously.

9 All concerned to act on a copy of this order authenticated by the Associate of the Court.

(K.R. SHRIRAM, J.)