

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

SUIT (L) NO.157 OF 2017
WITH
NOTICE OF MOTION (L) NO.558 OF 2017

Sarla Suresh Rajani ... Plaintiff
versus
Akshaara G. Rajani & Anr. ... Defendants

Ms. Prachi Khandge i/by M/s. M.P.Vashi and Associates, for Plaintiff.
Mr. F. Khan i/by M/s. Lexim Associates, for Defendant No.1.
Ms. Panthi Desai i/by Mr. Makarand Kale for Defendant No.2.
Ms. Sarla Rajani, Plaintiff present.
Ms. Akshaara G. Rajani, Defendant No.1 present.
Mr. Gaurav S. Rajani, Defendant No.2 present.

CORAM: S.J. KATHAWALLA, J.

DATE: 3rd MAY, 2017

P.C.:

1. On 27th April, 2017 this Court passed the following order :

"1. The learned Advocate for the Plaintiff is allowed to join Mr. Gaurav Suresh Rajani as Defendant No.2 in the above Suit. Amendment to be carried out on or before 28th April, 2017. Re-verification is dispensed with.

2. The learned Advocates for the parties have tendered an unsigned copy of the Minutes of Consent Decree. They state that the parties shall sign the said Minutes and obtain an order in terms of the said Minutes of Consent Decree on 3rd May, 2017. Both the parties undertake to sign the Minutes of Consent Decree on 3rd

May, 2017. This arrangement is worked out since the Defendant No.2 has filed a Petition (L) No.2623 of 2017 seeking dissolution of marriage with the Plaintiff before the Family Court. The Registrar, Family Court shall number the said Petition and since the Defendant No.1 is not contesting the Petition, the learned Judge of the Family Court shall dispose off the Divorce Petition on 28th April, 2017. This direction is given since the Minutes of Consent Decree in the above Suit, have been arrived at by and between the parties with the assistance of this Court.

Stand over to 3rd May, 2017.”

2. I am informed that the learned Judge of the Family Court has disposed of the Petition (L) No.2623 of 2017 thereby dissolving the marriage between the Defendant Nos.1 and 2. The learned Advocates for the parties undertake to file copy of the order/decreed passed by the Family Court in the above Petition within a period of one week from today. The undertaking is accepted.

3. Upon the said order/decreed being filed, the same shall be taken on record and shall form part of the present proceedings.

4. The Parties and their Advocates have now signed the Consent Minutes before the Court and have tendered the same. The Advocates for the parties have requested the Court to dispose of the above Suit in terms of the Consent Minutes. The Consent Minutes are taken on record and marked 'X' for identification. The undertakings recorded in the Consent Minutes are accepted. The Suit is disposed of

in terms of the Consent Minutes, marked 'X'. Refund of Court Fees, if any, as per rules. Notice of Motion (L) No.558 of 2017 also stands disposed of.

(S.J.KATHAWALLA, J.)