

Amk

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

PARSI SUIT NO. 16 OF 2015

Maneck Rashid Bamanbehram	.. Plaintiff
Vs	
Pinaz Maneck Bamanbehram	.. Defendant

Ms. Zenobia Irani for the Plaintiff.

Mr. R. B. Mokashi a/w. Mr. A. M. Nathani i/b A. M. Nathani for the Defendant.

Plaintiff and Defendant present in Court.

CORAM : K.R. SHRIRAM, J.
DATE : 23rd MARCH, 2017.

P.C.:

1. The plaintiff and defendant have settled the matter and are present in Court. Both the plaintiff and defendant confirm having signed the Consent Terms dated 23.03.2017. The said Consent Terms signed by the plaintiff, defendant and their respective Advocates is taken on record and marked 'X' for identification. The plaintiff agrees unconditionally to transfer his tenancy rights in Flat No.4, 1st Floor, Geeta Bhuvan, Mankeshwar Temple Compound, Dockyard Road, Mumbai-400 010 in favour of the minor son Fravash and also undertakes to sign all documents necessary thereto.

2. The defendant undertakes not to dispose off the said flat till the minor son Fravash attains the age of 18 years and if the building ever

goes for redevelopment, the flat allotted in the redeveloped building will be taken in the joint name of the defendant and the son Fravash. The plaintiff has agreed to pay an amount of Rs. 3 lakhs in full and final settlement towards the maintenance of the child Fravash which the defendant confirms having received. The defendant states that she has no claim whatsoever against the plaintiff for maintenance for herself as well as child Fravash. Both the plaintiff and defendant undertake not to interfere in each other's life and not to claim any right or entitlement in each other's property, whether self acquired or ancestral.

3. Both the parties withdraw the allegations made in their pleadings before this Court. The defendant also undertakes to withdraw the D.V. Complaint No. 75 of 2015 pending before 25th Metropolitan Magistrate Court at Mazgaon, Mumbai as well as FIR No. 15 of 2016 against the plaintiff within 15 days from today. If legally it is not possible to withdraw the complaint as well as FIR, the defendant undertakes to take all steps for quashing the complaint as well as closing FIR No.15 of 2016 within 15 days from today.

4. The undertaking of both the parties, as noted above and as mentioned in the Consent Terms, are accepted.

5. In view of the above, the marriage of the parties solemnized

on 01.11.2009 is dissolved by mutual consent under Section 32(B) of the Parsi Marriage and Divorce Act, 1936.

6. The decree be drawn up accordingly. Records and proceedings in the matter be put in a sealed envelope and sent for storage.

7. All the interim applications stand disposed. All interim orders stand vacated.

[K. R. SHRIRAM, J.]