

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

MISC. CIVIL APPLICATION NO. 120 OF 2018

Swapnali Yogesh Bhojane ... Applicant

Versus

Yogesh Ashok Bhojane .. Respondents

...
Mr. B.A. Dhengle, Advocate for applicant.
Mr. R. M. Deshmukh, Advocate for respondent
..

CORAM : V.L. ACHLIYA, J.

DATED : 10th SEPTEMBER, 2018

ORDER :-

1. The applicant has filed this application under Section 24 of the Civil Procedure Code to transfer the Hindu Marriage Petition No. 317 of 2017 pending before the Court of Civil Judge, Senior Division, Khed (Rajurunagar), District Pune to the Court of Civil Judge, Senior Division at Beed.

2. In view of inclination shown by the parties, the parties were referred to Mediator to explore the possibility of amicable settlement of matrimonial dispute between the parties. On the intervention of the Mediator, the parties have decided to amicably settle the dispute vis-a-vis all the proceedings filed between them. Accordingly, consent terms have been prepared and submitted with report of the Mediator.

3. In terms of the understanding reached between the parties, it has been decided to approach the Court of Civil Judge, Senior Division Khed (Rajurunagar), District Pune and to convert a Hindu Marriage

Petition No. 317 of 2017 seeking divorce, as petition for divorce by mutual consent. It is also decided between the parties to put to an end all the pending litigation i.e. civil and criminal proceedings between the parties by filing an appropriate proceeding for withdrawal/dismissal of such proceedings.

4. The respondent-husband has agreed to pay an amount of Rs. 27,50,000/- (Rs. Twenty Seven Lakhs Fifty Thousands Only) as permanent alimony to the applicant and her daughter. In terms of settlement, respondent- husband has agreed to deposit of Rs.15,00,000/- (Rs. Fifteen Lakhs Only) by way of first installment within one and half month and remaining Rs.12,50,000/- (Rs. Twelve Lakhs Fifty Thousands Only) in next one and half month. Out of Rs. 27,50,000/- (Rs. Twenty Seven Lakhs Fifty Thousands Only), the amount to be deposited by respondent-husband, the amount of Rs.13,75,000/- (Rs. Thirteen Lakhs Seventy Five Thousands Only) is agreed to be invested in the Fixed Deposit with Nationalized Bank in the name of Kum. Trisha d/o. Yogesh Bhojane, a minor daughter of applicant and respondent till she attains her age of 18 years and remaining amount of Rs.13,75,000/- (Rs. Thirteen Lakhs Seventy Five Thousands Only) to be paid to the applicant-wife by respondent-husband.

5. Pursuant to settlement arrived at between parties before Mediator, parties have appeared before this court alongwith their respective counsel and submitted that, they have decided to amicably settle the matter in terms of consent terms/compromise pursis signed by them before Mediator and urged to disposed of the application.

6. In view of the above, the parties are directed to appear before the Court of Civil Judge, Senior Division, Khed (Rajgurunagar), District Pune, on 26-09-2018 and take further steps in terms of mutual settlement arrived at between the parties. On appearance of parties, the learned Civil Judge, Senior Division, Khed (Rajgurunagar), District Pune, is directed to pass necessary orders.

7. The respondent- husband is permitted to deposit the amount in this Court in terms of settlement. In case such deposit is made, office to accept the same.

8. In view of settlement arrived at between the parties, no cause survives to prosecute the application seeking transfer of proceeding. The application is disposed as not pressed in view of the parties agreed to resolve the dispute amicably.

9. Authenticated copy of this order be issued.

(V.L. ACHLIYA, J.)

MTK.