

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 512 OF 2016

Sou Manisha R. Gangurde .. Petitioner
vs.
Rupesh T. Gangurde .. Respondent

WITH
WRIT PETITION NO. 13570 OF 2018

Rupesh Gangurde .. Petitioner
vs.
Sou. Manisha R. Gangurde .. Respondent

Mr. A.B. Tajane for Sou. Manisha Gangurde.
Ms Suvarna Telegote for Rupesh Gangurde.

CORAM : M. S. SONAK, J.
DATE : 13 DECEMBER 2018.

P.C. :-

1] The learned counsel for the parties as well as the parties hand over the Consent Terms, which are taken on record and marked as "X" for purposes of identification. The Consent Terms have been signed by both the parties as well as their Advocates. Both the parties are present before me. The petitioner Sou Manisha Gangurde is an advocate and she states that she has signed this Consent Terms by her free will and after understanding the scope and import of the same.

2] The respondent Rupesh Gangurde is also present in the Court and states that he has also signed this Consent Terms willingly and after understanding their scope and import.

3] I have also perused the Consent Terms. Initially, it was my opinion that the amount which paid to Manisha Gangurde is on the lower side and that an amount of at least Rs.3 Lakhs ought to have been paid to her. However, Mr.Rupesh Gangurde has explained that the custody of their son Prashik is with him He explained that Prashik is unfortunately physically challenged and Prashik requires whatever money that he can earn for his treatment. The learned counsel for Rupesh Gangurde points out that Prashik is both physically as well as mentally challenged, apart from being blind.

4] Taking into consideration the aforesaid aspects and the fact that the parties have agreed to the terms, it appears that the terms are quite fair and just to both the parties. There are several proceedings filed by the parties against each other and it will be not only in the interests of parties, but also in

the interests of Prashik that all these matters are given a quietus.

5] Accordingly, taking into consideration all the aforesaid circumstances, the consent terms are accepted and these petitions are disposed of in terms of the Consent Terms. The undertakings given by the parties in these Consent Terms are accepted as undertakings to this Court.

6] The parties to withdraw several proceedings filed by them against each other as expeditiously as possible and in any case within a period of maximum two months from today.

7] Parties to appear before the District and Sessions Judge at Niphad where R.C.A. Nos. 45 of 2013 and 48 of 2013 are pending on 21st December 2018 and consistent with what they have stated in paragraph 10 of the Consent Terms, withdraw the said two appeals. Parties who are present before me stated that they shall do so.

8] The learned counsel appearing for Rupesh Gangurde has today handed to the petitioner Manisha Gangurde a cheque in an amount of Rs.1,50,000/- consistent with the Consent Terms. Manisha Gangurde acknowledges the receipt of the said cheque as well as the amount therein subject to realization.

9] Both these petitions are disposed of in accordance with Consent Terms.

10] All concerned to act on the basis of an authenticated copy of this order.

(M. S. SONAK, J.)