

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
FAMILY COURT APPEAL NO.100 OF 2009

Sanjay Ramakant JhaveriAppellant
V/s.
Sapna Sanjay JhaveriRespondent

Mr. Uday Warunjikar with Mr. Sumit Kate, Advocates for Appellant
Mr. M.J.Pabari, Advocate for Respondent.

**CORAM :- R.M.SAVANT &
SANDEEP K. SHINDE, JJ.**

DATE :- 1ST FEBRUARY, 2018.

PC. :-

The decree of divorce granted vide judgment and order dated 18.1.2007 is the subject matter of the above Family Court Appeal. The Appellant-Husband and the Respondent-Wife have entered into the Consent Terms evidencing the settlement arrived at between the parties. By clause 3 of the Consent Terms, the Appellant-Husband has stated that he would accept the decree of divorce which has been granted in favour of the Respondent-Wife. It is further stated that by consent, the said decree may be converted into decree of divorce by mutual consent by the Respondent-Wife withdrawing the allegations made against the Appellant-Husband. It is further stated that the Appellant-Husband also withdraws all the

allegations made against the Respondent-Wife. The Consent Terms also provide for permanent custody of son which would be with the Respondent-Wife, i.e., Sapna. It is further provided by the Consent Terms that both the Appellant and the Respondent agreed that the Appellant would not be liable for any arrears of maintenance or for any future maintenance either to the Respondent-Wife or to son and the Respondent-Wife would not claim any share from the property of the Appellant-Husband in future and would not initiate any proceeding, civil , criminal against the Appellant-Husband, nor the Appellant-Husband would initiate any proceeding against the Respondent-Wife, civil or criminal in nature.

2 The Appellant-Sanjay Ramakant Jhaveri is personally present in the Court. He is identified by the learned counsel Mr. Warunjikar. He is also identified by Adhar Card bearing NO.2926 9458 9242. When put in the box and queried, he states that he has read the Consent Terms and contents are acceptable to him. He further states that he has signed the Consent Terms on his own free will and volition. The Respondent-Sapna Jhaveri is also personally present in the Court. She is identified by the learned counsel Mr. Mukesh Pabari. She is also identified by her Adhar Card bearing No.8957 4447 2843. When put in the box and queried she states

that she has read the Consent Terms dated 18.1.2018 and contents are acceptable to her. The Consent Terms dated 18.1.2018 are taken on record and marked as '**X**' for **Identification**. The above Family Court Appeal is disposed of in terms of the Consent Terms. Decree be drawn up accordingly.

3 The Appellant and the Respondent to deposit the cost of Rs.5,000/- each with the Maharashtra Legal Aid Fund within four weeks from date.

4 Issuance of certified copy is expedited.

(SANDEEP K. SHINDE, J.)

(R.M.SAVANT, J.)