

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
FAMILY COURT APPEAL NO. 228 OF 2015**

Ashok Ramnayak Yadav

..Appellant

Vs.

Mrs. Laxmi Ashok Yadav

..Respondent

Mr. A. R. Gole for the Appellant

Mr. Sandesh D. Patil a/w Mr. Chintan Shan for the Respondent

CORAM :R. M. SAVANT, &

N. J. JAMADAR, JJ

DATE : 27th NOVEMBER, 2018

P.C.

1 The Learned Counsel for the Appellant seeks leave to amend so as to correct the name of the Respondent from “Vijaylaxmi” to “Laxmi”. The Learned Counsel for the Respondent on instructions of the Respondent states that he has no objection for the same. Leave granted. Amendment to be carried out forthwith.

2 The Learned Counsel for the parties tender Consent Terms bearing today's date. The said Consent Terms evidence the settlement arrived at between the parties. The Consent Terms have been signed by the parties i.e. the Appellant and the Respondent. It is also signed by the Learned Counsel for the Petitioner Mr. A. R. Gole and the Learned Counsel Mr. Sandesh Patil appearing for the Respondent. The Learned Counsel for the parties pray that the above Family Court Appeal be disposed of in terms of the Consent Terms.

To the said Consent Terms is annexed the (i) Criminal Appeal No.55 of 2013 in MA No.22 of 2011, (ii) application Exhibit 30 which is in the nature of a joint pursis filed on behalf of the Appellant and the Respondent in the said Appeal which was arising out of an order passed under the Domestic Violence Act and (iii) lastly is the application Exhibit 32 which was filed for submitting the Demand Draft which application was in furtherance of the joint pursis filed by the parties. To the said application is also annexed the order passed by the Learned PDJ, Thane exercising powers of the Sessions Court dated 23-7-2018 passed on application Exhibits 1 and 30. Thereafter the Adhar Card of the Appellant as also the mini Adhar Card of the Respondent wife, have been annexed. The compilation of the Consent Terms is paginated from page Nos.1 to 24.

3 The Appellant is personally present in Court. He is identified by the Learned Counsel Mr. Gole. He is also identified by his Adhar card bearing No.226374136784. When put in the box and queried, he states that the Learned Counsel Mr. Gole has explained to him the contents of the Consent Terms. He has understood the said contents and it is after understanding the said contents that he has signed the said Consent Terms of his own free will and volition.

4 The Respondent is also personally present in Court. She is identified by

the Learned Counsel Mr. Patil. She is also identified by her Adhar card bearing No.516003657157. When put in the box and queried, she states that the Learned Counsel Mr. Patil has explained to her the contents of the Consent Terms. She has understood the said contents and it is after understanding the said contents that she has signed the said Consent Terms of her own free will and volition. She further states that an amount of Rs.35,00,000/- mentioned in clause (5) of the Consent Terms has been received by her.

5 The Consent Terms are taken on record and marked as “X” for identification. The above Family Court Appeal is disposed on in terms of the Consent Terms. Decree to be drawn up accordingly.

[N. J. JAMADAR, J]

[R.M.SAVANT, J]