

Arun

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
PARSI SUIT NO. 5 OF 2018**

Sherzad Fredy Vasania ...Plaintiff No.1
And
Zeenia Sherzad Vasania Alias Zeenia Khushroo ...Plaintiff No.2
Crawford

Mrs Nityoah Mehta, *with Ashish Anand & Siddhi Vora, i/b Nityoah
Suneel & Associates, for the Plaintiffs.*

CORAM: G.S. PATEL, J
DATED: 24th April 2018

PC:-

1. This is a Parsi Suit under Section 32-B of the Parsi Marriage and Divorce Act 1936. Both Plaintiffs are present in Court. The 1st Plaintiff is the husband. The 2nd Plaintiff is the wife.
2. The Plaintiffs were married on 1st December 2015 in Mumbai according to Parsi Zoroastrian rites and customs. This was the first marriage for both.
3. The parties have no children.
4. After marriage, the Plaintiffs lived together as husband and wife in Dubai.

5. According to the Plaintiffs, differences soon arose between them. They attempted to resolve these differences but without success. The intervention of family and friends was unsuccessful. Finally, in November 2016, the Plaintiffs decided to separate.

6. The Plaintiffs say in paragraph 6 that although they live under the same roof, from November 2016 the Plaintiffs have not cohabited. They have thus been living apart for more than a year prior to the filing of this suit.

7. Plaintiffs have drawn up Consent Terms. These are annexed as Exhibit “B” to the plaint. I am satisfied that these are in order and not contrary to law. The undertakings in the Consent Terms are accepted as undertakings to the Court.

8. I am satisfied that the consent of the Plaintiffs to this suit has not been obtained by fraud, force or coercion of any kind and there is no delay in filing the suit.

9. Both Plaintiffs have filed affidavits in lieu of Examination-in-Chief. These are taken on record.

10. In this view of the circumstances, there is no impediment to the grant of relief.

11. There will thus be an order in terms of prayer clauses (a) and (b) of the suit. The marriage of the parties is dissolved by mutual

consent under Section 32-B of the Parsi Marriage and Divorce Act.
There will also be an order in terms of Exhibit “B” to the Plaint.

12. Drawn up order or decree expedited.

13. All concerned to act on an authenticated copy of this order.

(G. S. PATEL, J)