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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
PARSI SUIT NO. 8 OF 2018**

Neville Jimmy Unwalla	...Plaintiff No. 1
<i>And</i>	
Sharmin Neville Unwalla	...Plaintiff No. 2

**Ms Nerrisa Almeida, with Armaity S Khushrushahi, for the
Plaintiffs.**

**CORAM: G.S. PATEL, J
DATED: 1st August 2018**

PC:-

1. Although the Suit is listed for directions, it is taken up for final disposal.

2. This is a Petition for divorce by mutual consent under Section 32-B of the Parsi Marriage and Divorce Act 1936. The 1st Plaintiff is the husband. The 2nd Plaintiff is the wife. Both are present in Court.

3. The Plaintiffs were married on 3rd March 2005 in Mumbai according to Parsi Zoroastrian rites and customs. This was the first marriage for both. The Plaintiffs have two children from the marriage. These are two daughters aged 12 and eight years old. After marriage, the Plaintiffs lived together as man and wife at Sir Ratan

Tata Colony, Building-7, B-Block, Room No. 4, Tardeo, Mumbai 400 034 along with the 1st Plaintiff's parents. Later they shifted to Dubai where they both worked.

4. Sometime after the birth of their second daughter, disputes and differences arose between them. They found that they were incompatible. They were unable to reconcile these differences in spite of the intervention of friends and families.

5. The Plaintiffs drifted apart and lived separately though under the same roof. Finally in April 2017 the 2nd Plaintiff moved out of the matrimonial home along with daughters and severed all matrimonial ties with the 1st Plaintiff. She began living separately. The parties have lived separately since April 2017, for more than a year before the presentation of this plaint.

6. The parties have decided to take a divorce by mutual consent under Section 32-B of the Parsi Marriage and Divorce Act 1936. They have drawn up Consent Terms which are at Exhibit "B". These are in order. Provisions have been made for access, custody and an amount of permanent lump-sum alimony in addition to other factors. I am satisfied that these Consent Terms have been drawn by the parties of their volition in reflection of their true intentions and without force, fraud or coercion. The undertakings in the Consent Terms are accepted as undertakings to the Court.

7. Both parties have tendered their Affidavits in lieu of examination-in-chief. They affirmed the correctness of these statements. The Affidavits are taken on record.

8. There is no impediment to the grant of relief. The Suit is decree in terms of prayer clauses (a) and (b).

9. The marriage of the parties is dissolved by mutual consent under Section 32-B of the Parsi Marriage and Divorce Act 1936. There will also be a decree in terms of the Consent Terms.

(G. S. PATEL, J)