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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
PARSI SUIT (L) NO. 10 OF 2018**

Firoza Eddie Bhot	...Plaintiff No. 1
<i>And</i>	
Eddie Minoo Bhot	...Plaintiff No. 2

Ms Zenobia Irani, for the Plaintiffs.

**CORAM: G.S. PATEL, J
DATED: 2nd August 2018**

PC:-

1. The Suit is for divorce by mutual consent under Section 32-B of the Parsi Marriage and Divorce Act 1936. Plaintiff No. 1 is the wife. Plaintiff No. 2 is the husband. They were married on 25th January 1979 in Mumbai according to Parsi Zoroastrian rites and customs. This was the first marriage for both.

2. From the marriage, the parties have two children, a daughter named Kermin born on 6th December 1979, and a son named Naizak born on 29th December 1994. Both children are now adults.

3. After marriage, the Plaintiffs lived together as man and wife at 1202, Shiv Shakti Apartments, Sundervan Lane, Andheri (West), Mumbai 400 053.

4. Paragraph 4 of the plaint says that there were difficulties that led to constant quarrels in the Plaintiffs' marriage. Despite this, the Plaintiffs continued with their marriage. However, by 2012, the differences and disputes had come to a point where the parties realized that they were entirely incompatible and could not live together. Efforts at a reconciliation failed, despite the intervention of family and friends.

5. The parties have, in these circumstances, agreed to dissolve their marriage by mutual consent. They say they have lived apart though under the same roof from 2012 and have had no matrimonial ties since that time, i.e. for more than a year preceding the presentation of this plaint.

6. The parties have drawn Consent Terms. These are at Exhibit "B" to the plaint. There is sufficient provision made in these Court for a separation of assets and properties. The flat at Andheri has been dealt with in Clause 4 of the Consent Terms.

7. There is no impediment to the grant of relief. Both Plaintiffs are present in Court. They have tendered their respective Affidavits in lieu of examination-in-chief and have attested to the correctness of the contents of these Affidavits.

8. The Suit is decreed in terms of prayer clauses (a) and (b). 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 Exhibit “B” to the plaint. The undertakings in the Consent Terms are accepted as undertakings to the Court.

9. Drawn up decree is expedited.

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

(G. S. PATEL, J)