

Shailaja

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
PARSEE SUIT NO. 14 OF 2017**

Dinyar Jal Gilder	...Plaintiff
<i>Versus</i>	
Jerozedinyar Gilder	...Defendant

Mr Himanshu Nagarkar, *for the Plaintiff.*

**CORAM: G.S. PATEL, J
DATED: 8th January 2018**

PC:-

1. This is a Suit under Section 32-B of the Parsi Marriage & Divorce Act, 1936 for divorce by mutual consent. The 1st Plaintiff is the husband. The 2nd Plaintiff is the wife.

2. The Plaintiffs were married on 21st January 1996 in Mumbai in accordance with Parsi Zoroastrian rites and customs. At that time both Plaintiffs were unmarried, and this was the first marriage for both. The Plaintiffs have a daughter named Ava from this marriage born on 11th July 1997. She is an adult today.

3. After marriage, the Plaintiffs lived together as man and wife at Aspen, Flat 601, 8 Perry Cross Road, Bandra (West), Mumbai 400 050. However, after some years after the marriage, the Plaintiffs

found that irreconcilable differences arose between them and despite all efforts they were unable to resolve these.

4. The Plaintiffs have lived apart for over one year. They have now decided to have their marriage dissolved by mutual consent under Section 32-B of the PMDA. Both Plaintiffs are present in the Court. They have each filed Affidavit in lieu of examination-in-chief which they affirm and which are taken on record.

5. The Plaintiffs have also arrived at Consent Terms and these are annexed to this Suit as Exhibit C. The Consent Terms are in order. I am satisfied that the Consent Terms are not contrary to the law and have been arrived at by the parties of their own volition in reflection of their true understanding.

6. Having regard to these circumstances, Suit is decreed in terms of prayer clauses (a) and (b). The marriage of the parties is dissolved under Section 32B of the Parsi Marriage and Divorce Act, 1936. There will be also be an order in terms of the Consent Terms.

7. Decree be drawn up expeditiously.

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

(G. S. PATEL, J)