

Atul

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
PARSI SUIT NO. 11 OF 2018**

Kurush Soli Readymoney	...Plaintiff No. 1
<i>Versus</i>	
Dilkhush Kurush Readymoney Alias Dilkhush Bejan Patel	...Plaintiff No. 2

Ms Sanobar Nanavati, *for Plaintiff No. 1.*
Mrs Taubon Irani, *for Plaintiff No. 2.*

CORAM: G.S. PATEL, J
DATED: 4th September 2018

PC:-

1. The Suit is 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. They were married on 17th November 1998 in Mumbai according to Parsi Zoroastrian rites and ceremonies. This was an arranged marriage. They have a daughter named Tia born on 15th December 2005.

2. After marriage, the Plaintiffs lived together as man and wife in Mumbai. Some time in 2008 disputes arose between the Plaintiffs. They could not resolve these. Attempts at reconciliation by friends and family were unsuccessful. The parties drifted apart. They say

that they have been living apart for the last nine years. The 1st Plaintiff lives and works in Dehradun. He visits Mumbai occasionally. The 2nd Plaintiff lives in Mumbai with their daughter who is today about 14 years old.

3. The parties have now decided to separate by mutual consent and have worked out an amicable settlement. Consent Terms to this effect are at Exhibit “B” to the plaint. These are in order. I am satisfied that these are not contrary to law and have adequate provisions in all essential aspects.

4. The parties have been living apart for more than a year, i.e., since July 2008. The parties have tendered their Affidavits of Evidence. These are taken on record.

5. There is no impediment to the grant of relief.

6. The Suit is accordingly 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 & Divorce Act, 1936. There will also be a decree in terms of the Consent Terms. The undertakings in these Consent Terms are accepted as undertakings to the Court.

7. Drawn up decree is expedited.

(G. S. PATEL, J)