

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE**

FAMILY COURT APPEAL NO.103 OF 2016

Sudhakar Gopal Nadar

... Appellant

Vs

Nivetha Sudhakar Nadar

... Respondent

Mr.Ashish Baraskar for the Appellant

Appellant and Respondent are present in Court.

**CORAM: AKIL KURESHI &
S.J. KATHAWALLA, JJ.**

DATED: AUGUST 9, 2019

P.C.:

1. The parties to the above Appeal have agreed that the judgment and decree under challenge be set aside and the parties be allowed to move the Family Court for divorce by mutual consent u/s 13-B of the Hindu Marriage Act. The parties have also executed the consent terms which they have tendered in Court.

2. In view thereof, the following order is passed:

(i) The decree dated 17.3.2016 passed by the Family Court, Bandra is set aside.

(ii) The parties shall file petition seeking divorce by mutual consent within a period of two weeks from today before the Family Court, Bandra.

(iii) The Principal Judge, Family Court, Bandra shall forthwith take up the said divorce petition and without directing the parties to wait for a period of six months, grant divorce by mutual consent to the parties. The learned Principal Judge of the Family Court shall also pass an order in terms of the consent terms dated 9.8.2019 executed by and between the parties.

(iv) Upon the said decree being passed, the appellant – husband shall forthwith pay the amount agreed to be paid by him under the consent terms to the respondent – wife.

3. The above appeal is accordingly disposed of.
4. All concerned to act on authenticated copy of this order.

(S.J. KATHAWALLA, J.)

(AKIL KURESHI, J.)