

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

FAMILY COURT APPEAL NO.151 OF 2019

Prafull Mahadeo Gawade

... Appellant

Vs

Gauri Prafull Gawade

... Respondent

Mr.Udayan Surve i/b H.Y. Damle for the Appellant
Mr.Manish N. Jain i/b K.P. Dubey for Respondent
Appellant and Respondent are present in Court.

**CORAM: AKIL KURESHI &
S.J. KATHAWALLA, JJ.
DATED: OCTOBER 4, 2019**

P.C.:

1. The above Family Court Appeal is filed by the appellant – husband impugning the judgment and order dated 18.1.2018 passed by the Family Court, Mumbai in Petition No.A-672 of 2015 dismissing the divorce petition filed by the appellant – husband.
2. The parties have now arrived at a settlement. They have tendered consent terms in Court. The consent terms are taken on record and marked 'X' for identification. The consent terms are signed by the parties and their advocates, who are present in Court. The statements recorded in the consent terms are accepted with the following directions:

i) A cheque of Rs.4 lakhs is handed over to the respondent by the appellant which is encashed by the respondent.

ii) It is clarified that the parties shall file an application before the Family Court, Mumbai under section 13B of the Hindu Marriage Act, 1955 unconditionally withdrawing all the allegations against each other and seeking divorce by mutual consent within 15 days from today.

iii) The Family Court without insisting that the parties should take out Notice of Motion after a period of six months, forthwith pass a decree of divorce by mutual consent on or before 4.11.2019.

iv) Upon the decree of divorce being granted, the parties shall have no claim whatsoever against each other save and except what is agreed under the consent terms.

3. The above Family Court Appeal is accordingly disposed of.

(S.J. KATHAWALLA, J.)

(AKIL KURESHI, J.)