

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CONTEMPT PETITION (STAMP) NO.46 OF 2019
WITH
CONTEMPT PETITION NO.415 OF 2018
WITH
WRIT PETITION NO.3137 OF 2018**

Jatin Kantilal Karani .. Petitioner

Vs

Rishita Jatin Karani .. Respondent

...

Mr. Rohan Cama i/b Ms. Parul Vedak for the petitioner.

Ms. Yashvi Shah with Ms. Kirti Nagde for the respondent.

The petitioner - Mr. Jatin K. Karani and the respondent - Ms. Rishita J. Karani are present in the court.

**CORAM: SMT. BHARATI DANGRE, J.
(In Chamber)**

DATED : 19TH DECEMBER, 2019.

P.C:-

1. A positive development which is likely to bring to a close, seventeen proceedings pending before various forums, right from the Court of Judicial Magistrate, Vadodara to the transfer proceedings pending before the Apex Court, by the consent terms drawn by the parties on 19th December, 2019.

2. I am a privy to the marathon mediation attempted to settle the discord between the husband and the wife revolving around the custody of the children and apprised of how the matter travelled from one court to another. With the blessings of the elders and the mediators who are also present before the court today, the parties have drawn consent terms.

3. The consent terms entered into between the parties are reflective of the respect shown towards each other and their love and affection towards their children Ishaan and Vihaan. The petitioner as well as the respondent are present in person along with their respective counsel and they assure each other and, I say, the assurance to each other in specific, since it is not an assurance to the court that would matter much in the matrimonial proceedings which would work out in the long run but an assurance given to each other for the sake of their minor children that would be more meaningful and have a long term effect in the relationship as a 'Family'. Realizing that they are the one who are the implements in writing the story of Ishaan and Vihaan's future, they have inked the consent terms for securing a bright life full of love and affection and with the help of the children reinvent the world for themselves.

4. The consent terms signed by the parties are taken on record and marked as **'X'**. The said consent terms are signed by the petitioner as well as the respondent and their respective counsel. Schedule-A annexed to the consent terms contains the list of proceedings filed by the parties which are pending before the respective courts mentioned in the last column of the chart. The parties undertake to withdraw the said proceedings mentioned in Schedule-A to the consent terms within a period of one month from the date of signing of the consent terms.

5. The marriage between the parties is agreed to be dissolved and point No.3 of the consent terms work out a mechanism for dissolution of the marriage. The parties have agreed to convert Petition No.A/1634 of 2016 pending before the Family Court at Bandra to a Mutual Consent Divorce Petition under Section 28 of the Special Marriage Act, 1954. As far as sub-clause (iii) of Clause 3(I) of the consent terms is concerned, on Petition No.A/1634 of 2016 being converted to a petition for Mutual Consent Divorce Petition, the Family Court at Bandra is requested to consider the period of six months i.e. cooling period to be waived off, if it deems fit by taking into consideration the submission of the parties.

6. The petitioner and the respondent submit that they

would be bound by the consent terms and abide by the conditions stipulated in the consent terms which they have signed and affirmed on 19th December, 2019 and the consent terms are accepted as undertaking to this Court. In the light of the said statement, both the above Contempt Petitions stand disposed of in terms of the consent terms marked 'X'.

(SMT. BHARATI DANGRE, J.)