

R.M. AMBERKAR
(Private Secretary)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

FAMILY COURT APPEAL NO. 202 OF 2018
WITH
CIVIL APPLICATION NO. 164 OF 2019

Praful Patangrao Patil .. Appellant

Versus

Sharmila Praful Patil .. Respondent

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- Mr. Hitesh Vyas for the Appellant
 - Mr. Siddharth Deshpande for the Respondent
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CORAM : AKIL KURESHI &
S.J. KATHAWALLA, JJ.

DATE : JUNE 28, 2019.

P.C.:

1. The above FCA is filed by the appellant - husband impugning the judgment and order dated 7.8.2018 passed by Family Court 4, Pune in Petition No. A-1400 of 2014 dismissing the divorce petition filed by the 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" identification. The consent terms are signed by the parties and their

Advocates. The undertakings recorded in the consent terms are accepted. A cheque of Rs. 5 Lacs is handed over in Court to the respondent by the appellant. It is clarified that :

(i) the parties shall file an application before the Family Court, Pune under Section 13B of the Hindu Marriage Act, 1955 unconditionally withdrawing all allegations against each other and seeking divorce by mutual consent within 15 days from today;

(ii) 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 31.7.2019.

(iii) Upon the decree of divorce being granted, the appellant shall forthwith handover a demand draft of Rs. 45,00,000/- to the respondent, who shall on the same day, vacate the premises in her occupation which admittedly belongs to her

husband / in laws and;

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

3. The above Family Court Appeal and Civil Application are disposed of accordingly.

[S.J. KATHAWALLA, J.]

[AKIL KURESHI, J]