

identification. It is mentioned in the Consent Terms that both the parties have settled their disputes amicably and they have agreed to dissolve their marriage by mutual consent. The Consent Terms also mention the schedule of payment of settlement amount. As per the clause in the Consent Terms, the husband handed over a Demand Draft bearing no.012895 dated 20/03/2019 of HDFC Bank, for Rs.2.50 Lakhs to the learned Counsel for Respondent - wife. As per the Consent Terms, the parties agree to the schedule provided for payment of settlement amount.

3. In view of the Consent Terms, the following order is passed :

ORDER

- (i) The impugned Judgment and Order dated 18th May, 2018 passed by the Family Court, Mumbai, in Petition No.A-2160 of 2013, is set aside.
- (ii) The parties are at liberty to prefer appropriate proceeding under Section 13-B of the Hindu Marriage Act, 1955 seeking decree of divorce by mutual consent.

- (iii) Considering the peculiar facts of this case, the Family Court shall consider waiving of the cooling off period provided under Section 13-B of the Hindu Marriage Act, 1955.
- (iv) With this direction, Family Court Appeal No.21 of 2019 is disposed of.

(SARANG V. KOTWAL, J.)

(AKIL KURESHI, J.)