

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
PARSI SUIT NO. 1 OF 2021**

Farzad Cyrus Khambatta ... Plaintiff no. .1

and

Shahzneen Patel ... Plaintiff no. 2

Ms. Shirin Irani for Plaintiff nos. 1 and 2.

CORAM : A. K. MENON, J.

DATED : 2nd FEBRUARY , 2021.

P.C. :

1. This suit is filed pursuant to section 32B of the Parsi Marriage and Divorce Act 1936 for divorce by mutual consent. The Plaintiffs were married on 30th October, 2012 and had been living together as husband and wife. The certificate of marriage dated 5st November, 2021 appears at Exhibit A to the plaint confirming that the marriage took place on 30th October, 2012.

2. It is submitted on behalf of the plaintiff they have been living separately since February, 2019. There are no issues from the wedlock and they seek a decree of divorce by mutual consent. The plaintiff have

also annexed the statement of consent at Exhibit B to the plaint in which which they state that neither of them have any claim of any nature whatsoever against each other. They have further confirmed that there are no articles to be exchanged between them.

3. Both plaintiffs are present today. They have tendered their affidavits in lieu of examination in chief dated 2nd February, 2021 in which they confirm the fact that the suit has been filed for divorce by mutual consent. They confirm the statement in the plaint and seek disposal of the suit. I have also examined them and enquired whether they confirm that there is no occasion for any reconciliation. The plaintiffs both confirm that the Suit be decreed. Accordingly, having heard the learned Advocate for the plaintiffs and having perused the pleadings I pass the following order :

- (i) Affidavits dated 2nd February, 2021 are taken on record.
- (ii) Suit is decreed in terms of prayer clause (a) and (b).
- (iii) The marriage between the plaintiffs solemnized on 30th October, 2012 is hereby dissolved.
- (iv) Suit is disposed in the above terms.

(A. K. MENON, J.)