

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

[IN THE PARSİ CHİEF MATRİMONİAL COURT AT BOMBAY]

INTERIM APPLICATION NO.1640 OF 2021

IN

PARSI SUTT NO.12 OF 2021

Rehaan Nozer Bharucha .. Plaintiff

And

Jennifer Rehaan Bharucha .. Defendant

ALONG WITH

COUNTER CLAIM (LODGING) NO.23437 OF 2021

IN

PARSI SUTT NO.12 OF 2021

Rehaan Nozer Bharucha .. Applicant

And

Jennifer Rehaan Bharucha .. Respondent

Mr. Pervez Rustom Khan, with Ms. Nerissa M. Almeida, i/by Mrs. Armaity S. Khushrushahi, for the Plaintiff-Respondent in Counter Claim.

Mrs. Taubon F. Irani, with Ms. Sachi Lodha, for the Defendant-Applіcant in Counter Claim.

CORAM : A. K. MENON, J.

DATE : 21ST DECEMBER, 2021.

P.C. :

1. The suit, as originally filed, seeks dissolution of the marriage between plaintiff and defendant on the ground of cruelty, for permanent custody of the minor child and, pending the disposal of the suit, for interim custody and

visitation rights. During the pendency of the Suit No.24 of 2021, the parties have arrived at a decision to dissolve their marriage by mutual consent.

2. There is a counter claim filed by the defendant in the present suit being Counter Claim (Lodging) No.23437 of 2021. By virtue of the decision to dissolve the marriage by consent, the counter-claim is also not being pressed. A fresh suit has been filed under Section 32-B of the Parsi Marriage and Divorce Act, 1936 being Suit No.24 of 2021. The suit said is listed for hearing and final disposal today by consent of parties.

3. In view thereof, on the application of the parties, I pass the following order :-

- (i) Suit No.12 of 2021 is disposed as withdrawn.
- (ii) Upon withdrawal of the suit, Counter Claim is also withdrawn.
- (iii) In view of the disposal of the suit and counter-claim, all interim applications, if any, stand withdrawn and interim orders, if any, stands vacated.

(A.K. MENON, J.)