

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

904 FIRST APPEAL NO.3947 OF 2019

**JAMESH @ SACHIN THOMAS JHALTE
VERSUS
ARADHANA @ SADHANAJAMES JHALTE**

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Mr. A.B. Jagtap, Advocate for the appellant.
Mr. Yuvraj Choudhari and Mr. R.K. Khandelwal,
Advocates for the respondent.

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CORAM : SANDIPKUMAR C. MORE, J.

DATED : 27.07.2022.

ORDER:-

1. Heard learned Counsel for the appellant - husband as well as learned Counsel for the respondent – wife. The husband has filed this appeal feeling aggrieved with the rejection of his divorce petition before the learned District Judge-1, Shrirampur. During the pendency of this appeal, the matter was referred to mediation and it is successfully mediated. The report of the learned Mediator Mr. S.K. Kadam alongwith the compromise terms entered into by the rival parties and also one hand written paper signed by the rival parties mentioning that the wife i.e. the respondent received all the articles mentioned therein, is received. The said report alongwith the annexure is taken on record and marked 'X' for

identification.

2. On perusal of those compromise terms entered into between the appellant and respondent, it reveals that both of them have settled the matter and agreed to get separated from each other by way of decree of divorce in the above-mentioned proceeding. Further, it appears that care has also been taken for the subsistence of respondent – wife by giving her an amount of Rs. 5,50,000/- by way of Demand Draft bearing No.505907 dated 27 June 2022 to be deposited in this Court. Moreover, the rival parties have also agreed to take steps in Criminal Application No.2003 of 2020 before the Division Bench of this Court for quashing the F.I.R. in Crime No.36/2020 registered with Shrirampur Taluka Police Station arising out of the matrimonial discord between them. The respondent – wife has also received clothing and educational documents from the appellant – husband.

3. I verified the terms of this compromise through the parties in open Court and they admitted the same. The learned Counsel for the respondent – wife submitted that the compromise terms be treated as her consent for divorce as claimed by the husband in original Marriage Petition No.3/2017. As such, the compromise terms marked as 'X'

stands accepted and the decree be drawn accordingly.

4. It is made clear that the impugned judgment and order passed in Marriage Petition No. 3/2017 is quashed and set aside and the marriage between the appellant and respondent stands dissolved from the date of this order.

5. The appellant – husband is permitted to deposit the amount of Rs. 5,50,000/- in form of Demand Draft dated 27 June 2022 bearing No. 505907 with this Court. Thereafter the respondent – wife i.e. Aradhana @ Sadhana Sachin Jhalte shall be entitled to withdraw the said amount in her maiden name i.e. Sadhana d/o Baban Torane on due verification.

6. Accordingly, the appeal stands disposed of.

(SANDIPKUMAR C. MORE, J.)

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