

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
MISC. CIVIL APPLICATION No. 349 OF 2022**

Smita w/o Anand Chawre Nee

Smita D/o. Vasantrao Borikar

...Applicant

Vs.

Anand S/o. Prabhu Chawre

....Respondent

Mr. Anil Sakhare, Senior Advocate a/w. Mr. Kunal Damle a/w. Mr.
Rajesh A. Tekale for the Applicant

Mr. Anand P. Chawre, Respondent in person present

CORAM : SANDEEP K. SHINDE, J.
DATED : 20TH OCTOBER, 2022.

PC. :

1. In the proceedings under Section 24 of the Code of Civil Procedure, the Applicant and the Respondent have filed the consent terms, executed on 20th October, 2022. Consent terms are taken on record and marked 'X-1' for identification.

2. The Applicant and the Respondent are present in the Court. They admit the contents of the Consent Terms and their signatures.

3. In view of the consent terms, the Matrimonial Petition No. A 210 of 2021 filed by the husband under Section 13 (1) (i), (ia) and (ib) of The Hindu Marriage Act, 1955 stands converted,

into a Petition under Section 13-B of The Hindu Marriage Act, 1955 i.e. dissolution of marriage by mutual consent.

4.(i) Clause 3.3 of the Consent Terms waives statutory period of six months, in terms of sub-section (2) of Section 13-B of the Hindu Marriage Act;

(ii) Clause 3.5 onwards are the terms and conditions agreed upon between the parties.

5. Thus, vide Clause 3.4 of the Consent terms, the parties have agreed to dissolve their marriage by mutual consent under Section 13-B of The Hindu Marriage Act.

6. The Respondent has agreed to file certified copy of this order along with the certified copy of the consent terms, before the Family Court at Aurangabad in Matrimonial Petition No. A-210/2021.

7. The Learned Judge Family Court at Aurangabad shall draw decree under section 13-B of the Hindu Marriage Act, 1955.

8. The Misc. Civil Application is disposed of in the aforesaid terms.

(SANDEEP K. SHINDE, J.)