

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

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MISC. CIVIL APPLICATION NO.223 OF 2018

Sharayu Yashodhan Agalgaonkar ..Applicant
Versus
Yashodhan Prakash Agalgaonkar ..Respondent

**WITH
CRIMINAL APPLICATION NO.37 OF 2020**

Yashodhan Prakash Agalgaonkar ..Applicant
Versus
Sharayu Yashodhan Agalgaonkar ..Respondent

**WITH
INTERIM APPLICATION NO.1706 OF 2019
IN
CIVIL REVISION APPLICATION STAMP NO.27530 OF 2019**

Sharayu Yashodhan Agalgaonkar and Ors. ..Applicants
Versus
Yashodhan Prakash Agalgaonkar and Ors. ..Respondents

**WITH
WRIT PETITION NO.12954 OF 2019**

Sadanand Vyankatesh Subhedar and Ors. ..Petitioners
Versus
Yashodhan Prakash Agalgaonkar and Ors. ..Respondents

**WITH
WRIT PETITION NO.9690 OF 2019**

Mrs. Sanhita Sanket Subhedar ..Petitioner
Versus
Mr. Yashodhan Prakash Agalgaonkar and Ors. ..Respondents

Mr. Surel Shah a/w Rahul Kasbekar, for the Applicant in MCA No.223/2018 & CRAFT No.27530/2019 & also Petitioners in WP Nos.9690/2019 & 12954/2019.

Mr. Ashutosh M. Kulkarni, for the Respondent No.1 in all Matters.

CORAM : NITIN W. SAMBRE, J.

DATE : 13th APRIL, 2022

PC.

1. Parties hereto got married on 11th December, 2009. After the said marriage, two daughters i.e. Aastha and Urvi were born to the parties.

2. The strained relations between the parties have prompted them to initiate various proceedings.

3. In MCA No.223 of 2018 initiated by wife, prayer is for transfer of Marriage Petition No.205 of 2018 and also MCA No.82 of 2018 initiated by the husband for divorce, judicial separate and custody of daughters from the file of Court of Civil Judge, Senior Division, Sangli to the Court at Gadhinglaj, District Kolhapur.

4. Criminal Application No.37 of 2020 is preferred under Section 407 of the CrPC by the husband and his family members seeking transfer of the DV Act proceedings being Criminal Misc. Application No.20 of 2017 pending on the file of JMFC, Gadhinglaj to the Court of JMFC, Sangli.

5. Civil Revision Application Stamp No.27530 of 2019 is initiated by wife questioning the order passed by the Joint Civil Judge, Senior Division, Sangli on 13th November, 2018, whereby prayer for rejection of plaint under Order VII Rule 11 of the CPC in suit for compensation being Special Civil Suit No.69 of 2018 initiated by the husband is questioned.

6. In Writ Petition No.12954 of 2019 initiated by Sadanand Vyankatesh Subhedar and others, the challenge is to the order passed below Exh.28, wherein prayer for striking of their names from array of defendants in above referred Special Civil Suit No.69 of 2018 was rejected.

7. In Writ Petition No.9690 of 2019, the challenge is to the order dated 28th February, 2019 passed below Exh.20 in Special Civil Suit No.69 of 2018, wherein the prayer for deletion of name of the petitioner therein from cause-title was rejected.

8. Parties hereto have appointed Dr. Shalini Phansalkar – Joshi (Former Judge), as mediator and the mediation is reported to be successful. Through respective counsels, parties have tendered notarized consent terms in original, duly signed and executed by all the parties to the present application, so also parties to the various civil/criminal proceedings *inter se* initiated. The said consent terms drawn and executed on 11th April, 2022 are taken on record and marked “X” for identification.

9. As such, a joint request is made by Mr. Surel Shah, counsel for the wife and her parents and Mr. Ashutosh Kulkarni, counsel appearing for the husband and his relatives for disposal of all these matters in view of the consent terms tendered. Mr. Ashutosh Kulkarni has specifically mentioned that prayer for disposal is made upon instructions of the husband who is personally present in Court.

10. In the wake of above, after the Court has granted production of the matters by consent, as the parties have amicably settled the matter, disposal of all these proceedings in view of the consent terms tendered before this Court referred above is hereby ordered.

11. Parties hereto are at liberty to apply for getting certified copies of the consent terms for submitting the same for final disposal of the pending proceedings before the Courts below. Such prayer for grant of certified copy is expedited.

12. As such, all these proceedings stand disposed of in view of consent terms tendered. As a consequence of which, the pending interim applications, if any, are also disposed of.

[NITIN W. SAMBRE, J.]