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

FAMILY COURT APPEAL NO. 41 OF 2014

Shri. Somnath Brijal Dhuriya

...Petitioners

Versus

Smt. Nisha Somnath Dhuriya @
Nisha Sudamaprasad Mourya

...Respondents

Mr. Vishal Rankhambe a/w. M.U. Rankhambe, *Advocates for Appellant.*

Mr. Abhishek Kulkarni i/by S.P. Dighe, *Advocates for Respondent.*

Mr. Somnath B. Dhuriya, Appellant is present

Mrs. Nisha S. Dhuriya Respondent is present.

**CORAM : B. P. COLABAWALLA &
M.M. SATHAYE, JJ.**

DATE : JUNE 26, 2023

P. C.

1. In the above Family Court Appeal, what is impugned is the order dated 16th November, 2013 passed by the Family Court in Marriage Petition No. 43 of 2011. By the impugned order, the Divorce Petition filed by the Respondent-wife was allowed and the Restitution Petition filed by the husband was dismissed. Today when the matter is called out, it is submitted that the parties have reached an amicable settlement

and each one of them have filed an undertaking/affidavit. The undertaking/affidavit filed on behalf on the Appellant is dated 26th June, 2023. The undertaking/affidavit of the Respondent is also dated 26th June, 2023. In a nutshell, what these undertakings stipulate is that both parties have now agreed that the Divorce decree granted by the Family Court shall stand confirmed. However they withdraw all allegations made against each other and the Respondent- wife is not claiming any maintenance or alimony or any other compensation from the Appellant-husband.

2. The undertaking/affidavit submitted by the Appellant is taken on record and marked 'X' for identification. Similarly, the undertaking/affidavit filed by the Respondent is taken on record and marked 'X-1' for identification. All the undertakings given by the respective parties are accepted as undertakings given to the Court.

3. Considering that now the parties have agreed that the Divorce decree shall stand and the wife is not claiming any compensation from the Appellant-husband, the learned advocate appearing on behalf of the Appellant-husband seeks leave to withdraw the above Family Court Appeal.

4. In this circumstances, the Family Court Appeal is dismissed as withdrawn. No order as to costs.

5. This order will be digitally signed by the Private Secretary/ Personal Assistant of this Court. All concerned will act on production by fax or email of a digitally signed copy of this order.

[M.M. SATHAYE, J.]

[B. P. COLABAWALLA, J.]