



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

MISC. CIVIL APPLICATION NO. 83 OF 2023

Swapnali Ajay Wakkar

...Applicant

V/s.

Ajay Raghunath Wakkar

...Respondent

Mr. Abhishek S. Matkar for the Applicant.

Mr. Parth Shah for the Respondent.

CORAM : ABHAY AHUJA, J.
DATE : 15th SEPTEMBER 2023

P.C. :

1. On 8th September, 2023 following order was passed:-

“When the matter is called out, both the learned counsel submit that mediation in the matter has been successful. However, since no report has been filed, the matter be listed next week. At their request, list on 15th September, 2023.”

2. Today when the matter is called out, learned Sheristadar points out that there is a sealed envelope. The same is opened. It is a Mediator’s report. Perusal of the report dated 12th September, 2023 indicates that the mediation has been successful and the parties have reached a settlement. The mediation report is taken

on record and marked 'X' for the purposes of identification. The settlement terms dated 12th September, 2023 duly signed by the parties as well as their counsel are also taken on record and marked 'Y' for the purposes of identification. The undertakings contained in the settlement terms are accepted as undertakings to the Court.

3. It is observed from the settlement terms that applicant and Respondent have agreed to approach the family court at Kalyan and convert HMP No. 687 of 2020 into the marriage petition under Section 13-B of the Hindu Marriage Act as they have settled their disputes.

4. Learned Counsel would submit that the said exercise be time bound.

5. Let the parties approach the family court at Kalyan to convert the HMP No. 687 of 2020 into the marriage petition under Section 13-B of the Hindu Marriage Act within a period of four

weeks. Let the family court at Kalyan endeavour to dispose of the said petition under Section 13-B within a period of four weeks thereafter.

6. Learned counsel for the Respondent submits that his client had deposited an amount of Rs. 1,24,000/-, which the Respondent be allowed to withdraw, upon an application be made in this behalf in the Registry of this Court. Learned counsel for the applicant has no objection if the Respondent is allowed to withdraw the same. Registry is directed to permit withdrawal of the sum deposited by the Respondent as aforesaid.

7. Application stands disposed in the above terms.

(ABHAY AHUJA, J.)