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

FAMILY COURT APPEAL NO. 28 OF 2022

Mrs. Tejaswini Basavraj Harune

.....Appellant

Vs.

Mr. Basavraj Shivharanappa Harune

.....Respondent

Mr. Abhijit Sorwate with Ms. H. K. Aidhen and Mr. A. U. Udane for
Appellant.

Mr. Hitesh P. Vyas for Respondent.

**CORAM : R.D. DHANUKA &
GAURI GODSE, JJ.**

DATED : 10th MARCH 2023.

PC. :

1. This Appeal was on board on 6th July 2022 when both the parties filed consent terms. The consent terms are incorporated in paragraph 5 of the order dated 6th July 2022. Family Court Appeal, however, could not be disposed of by this Court since compliances stipulated in the consent terms had to be complied with.

2. Learned counsel for the Respondent tenders a copy of the E-mail received by him from his client stating that cases have been withdrawn by the Appellant as mentioned in the consent terms and he has no objection if

the Appellant is allowed to withdraw Rs. 4.5 Lacs deposited in this Court. Copy of E-mail is taken on record.

3. Learned counsel for the Appellant tenders an affidavit notarized on 2nd February 2023 in compliance of the consent terms filed on 7th September 2022. Learned counsel states that all the terms and conditions of the consent terms are fully complied with. She seeks an order of direction against the office to allow her client to withdraw sum of Rs. 4.5 Lacs under clause 5(ii) of the consent terms with accrued interest, if any.

4. Since Respondent has no objection in permitting Appellant to withdraw the said amount with interest, we direct the Registry to permit the Appellant wife to withdraw said amount of Rs. 4.50 Lacs deposited by the Respondent with accrued interest, if any within two weeks from today.

5. Consent terms are taken on record and marked 'X' for identification. Undertakings, if any, are accepted.

6. In view of the consent terms, particularly in view of clause 25, there shall be a Decree of dissolution of marriage u/s. 13 B of Hindu Marriage Act, 1955 between the parties. Office of this Court is directed to draw the Decree expeditiously.

7. Family Court Appeal is disposed in terms of consent terms. Pending Interim Applications, if any, are also disposed of.

(GAURI GODSE, J.)

(R. D. DHANUKA, J.)