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IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION  
FAMILY COURT APPEAL NO. 82 OF 2018  
WITH  
INTERIM APPLICATION NO. 3524 OF 2022  
WITH  
INTERIM APPLICATION NO. 19647 OF 2022  
WITH  
INTERIM APPLICATION NO. 4362 OF 2023  
WITH  
REVIEW PETITION (ST) NO. 4684 OF 2023  
IN  
FAMILY COURT APPEAL NO. 82 OF 2018  
WITH  
FAMILY COURT APPEAL (ST) NO. 20934 OF 2018  
WITH  
INTERIM APPLICATION NO. 4361 OF 2023  
IN  
FAMILY COURT APPEAL (ST) NO. 20934 OF 2018

Smt Bharati Dhanaji Jadhav ... Appellant

vs.

Shri Dhanaji Mahipati Jadhav ... Respondent

Ms. Gauri Govande, Advocate for the Appellant in both  
FCA/Application in three Interim Applications and Review Petition.  
Mr. Manas N. Gawankar- Advocate for the Respondent.

RAJESHWARI  
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PILLAI  
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RAMESH PILLAI  
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**CORAM : R. D. DHANUKA &  
GAURI GODSE, JJ.  
DATED : 4 MAY, 2023**

**P.C. :-**

1. Both the learned counsels have tendered consent terms dated 4<sup>th</sup> May 2023 signed by both parties as well as their respective Advocates. The consent terms are taken on record and marked 'X' for identification with today's date.

2. The Appellant is present in Court. So far as Respondent is concerned, he is in civil custody pursuant to order dated 24<sup>th</sup> March 2023 passed in Interim Application No. 3524 of 2022. Respondent has signed consent terms before the concerned Jail Authorities. Learned Advocate appearing for the Respondent has identified the signature of the Respondent. Appellant who is present in Court has admitted the contents of the consent terms.

3. As per Clause 5 of the consent terms the Appellant has handed over demand draft to the Respondent. In view of Clause 4 of the consent terms the Divorce Petition bearing no. A/478/2014 is converted as Petition under Section 13-B of the Hindu Marriage Act for dissolution of the marriage by mutual consent. Parties have already consented for dissolution of the marriage by mutual consent

as agreed in the consent terms. In view of the consent terms we pass the following order :

- (i) Family Court Appeal No. 82 of 2018 is disposed of in terms of consent terms.
- (ii) The impugned judgment and decree dated 8<sup>th</sup> March 2018 passed by the Family Court No. 3, Mumbai in Divorce Petition No. A/478/2014 is quashed and set aside. Divorce Petition No. A/478/2014 is converted to Petition under Section 13-B of the Hindu Marriage Act.
- (iii) In view of the consent recorded by both the parties the marriage between the parties solemnized on 20<sup>th</sup> June 2007 is dissolved.
- (iv) Undertakings, if any, in the consent terms are accepted as undertakings to the Court.
- (v) Office to draw decree accordingly.
- (vi) In view of the disposal of the Family Court Appeal, all Interim Applications and pending Review Petition are disposed as infructuous.

**Interim Application No. 3524 of 2022**

1. By order dated 24<sup>th</sup> March 2023, the Respondent was sentenced to civil imprisonment for a period of six months. In view of the said order the Respondent is in civil custody.
2. In view of the amicable settlement between the parties and the consent terms that are placed on record in the Family Court Appeal, the operative part of order in paragraph 5 is hereby recalled and the concerned jail authorities are directed to release the Respondent within a period of 24 hours from production of authenticated copy of this order.
3. Parties to act on an authenticated copy of this order.

(GAURI GODSE, J.)

(R. D. DHANUKA, J.)