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

FAMILY COURT APPEAL NO.74 OF 2011

Shrijit Shridharan Kunnoth

.. Appellant
(Org.Petitioner)

Versus

Smitha Shrijit Kunnoth

.. Respondent
(Org.Respondent)

Ms.Sunita Tiwari, Advocate for the Appellant-Husband.

Ms.Susan Abraham, Advocate for Respondent-Wife.

Shrijit Shridharan Kunnoth, Appellant-Husband is present in Court.

Smitha Shrijit Kunnoth, Respondent-Wife is present in Court.

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

DATE : OCTOBER 26, 2023

P. C.

1. When the above Family Court Appeal is called out we are happy to note that the Appellant-Husband and the Respondent-Wife have settled their disputes as per the Consent Terms dated 26th October, 2023. These Consent Terms, *inter alia*, provide that the Appellant-

Husband shall transfer Flat No.2, Surya Shakti Apartment, Near Aastha Hospital, Mulund Colony, Mulund (West), Mumbai-400082 (for short **“the said Flat”**) to the name of the Respondent-Wife by way of a Gift Deed. Over and above this, the Appellant-Husband shall pay, as full and final one time settlement of alimony, an amount of Rs.35,00,000/- to the Respondent-Wife. The Consent Terms also provide for passing of a Decree by mutual consent under the provisions of Section 13-B of the Hindu Marriage Act, 1955.

2. We are informed that the entire amount of Rs.35,00,000/- has already been transferred to the name of the Respondent-Wife. We are further also informed that the Gift Deed is already executed in favour of the Respondent-Wife and the same is also duly registered. Both the parties before us have also stated that all the terms and conditions of these Consent Terms have already been complied with.

3. The Consent Terms have been signed by the Appellant-Husband as well as the Respondent-Wife who are present in Court today. They have both stated that they have signed the Consent Terms after reading and understanding the same as well as the implications thereof.

4. The Consent Terms are also signed by the Advocates for the Appellant and the Advocates for the Respondent.

5. In these circumstances, the Consent Terms dated 26th October, 2023 are taken on record and marked 'X' for identification. There shall be an Order and Decree in terms of the Consent Terms.

6. We also hereby dissolve the marriage between the Appellant-Husband and the Respondent-Wife by a decree of divorce passed by mutual consent under Section 13-B of the Hindu Marriage Act, 1955. The order of the Family Court, and which is impugned in the present Appeal, shall now stand substituted by the Consent Terms dated 26th October, 2023 read with this order.

7. The Family Court Appeal is accordingly disposed of. However, there shall be no order as to costs.

8. 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.]