



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

921 FIRST APPEAL NO. 1773 OF 2019
WITH
CIVIL APPLICATION NO. 3520 OF 2024
WITH
CIVIL APPLICATION NO. 6788 OF 2019
IN FA/1773/2019

AJAY @ ALVIN GULAB SAWANT

VERSUS

SMEETA @ LISA AJAY SAWANT (SMEETA RAVINDRA KOLGE)

...

Mr. S. S. Dixit, Advocate for Appellant

Mr. ujit S Kulkarni For R/sole, Advocate for Respondents

CORAM : Y. G. KHOBRAGADE, J.

DATE : 12th April, 2024

ORDER:

1. The appellant Ajay @ Alvin Gulab Sawant and Respondent Ms. Smeeta @ Lisa Ajay Sawant (Smeeta Ravindra Kolge) are personally present before this Court.

2. The appellant has filed the present application and prayed for conversion of the Petition for dissolution of marriage by mutual consent under section 10 of the Indian Divorce Act. He further prayed for waiving mandatory period of six months.

3. According to the applicant, on 15.03.2024, the applicant and respondent (husband and wife) entered into consent terms and amicably settled their matrimonial dispute and agreed to dissolve their marriage mutually. The terms and condition of settlement for dissolution of marriage are described in the consent terms Exh. B

annexed with the present application. Both the parties are agreed to abide by the same. Respondent Ms. Smeeta @ Lisa Ajay Sawant (Smeeta Ravindra Kolge) also filed an affidavit of consent terms which is at Annexure-A to the application.

4. Since the applicant husband and respondent wife have settled the matrimonial amicably and dissolved their marriage mutually and filed consent terms, it would be just and proper to dispose of the appeal in terms of compromise terms Exh.B to the application, which is part and parcel of the decree. The mandatory period of six months is hereby waived.

5. Judgment and decree dated 02.03.2019 passed in Marriage Petition No. 01 of 2016 passed by the learned District Judge, Kopergaon is hereby quashed and set aside. The marriage between the appellant and respondent solemnized on 06.05.2008 is hereby dissolved in terms of Exh.B to the Application.

6. Decree be drawn accordingly. Parties to bear their own costs.

7. Pending Civil Applications stand disposed off.

(Y. G. KHOBRADE, J.)

JPChavan