

Amberkar

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

MISC. CIVIL APPLICATION NO. 406 OF 2023

Asawari Abhijeet Mohite

.. Applicant

Versus

Abhijeet Prabhakar Mohite

.. Respondent

.....

- Mr. Suraj S. Ghogare for Applicant
- Mr. Prashant Pawar for Respondents

.....

CORAM : MILIND N. JADHAV, J.

DATE : OCTOBER 3, 2024

P. C.:

1. Heard learned Advocates for parties. Applicant and Respondent No. 1 are present in Court.

2. Both learned Advocates would submit that they are in the process of filing consent terms. In fact both the learned Advocates have filed consent terms before me and would urge the Court to pass appropriate direction to the learned Court of Civil Judge Senior Division at Alibaug. I have perused the original copy of the consent terms and returned the same back to the learned Advocates. Photocopy of the consent terms is taken on record and marked "X" for identification.

3. It is seen that Marriage Petition has not been filed by either of the parties as yet. Transfer of proceedings filed under the Domestic Violence Act and Guardians and Wards Act, 1890 are required to be

transferred by virtue of the present MCA. However in view of the consent terms arrived at between the parties to dissolve their marriage, remedy in law available to the parties would be to file an appropriate Petition under Section 13-B of the Hindu Marriage Act, 1955 before the appropriate Court. If any such Petition is filed, the appropriate Court shall hear and decide the same strictly in accordance with law. Liberty to parties to file the consent terms in the said Petition.

4. In view of the above, MCA can be disposed of without passing any orders. Liberty to apply.

5. MCA is disposed.

[MILIND N. JADHAV, J.]

Amberkar

Digitally signed
by RAVINDRA
MOHAN
AMBERKAR
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2024.10.03
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