

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

FAMILY COURT APPEAL NO. 88 OF 2013

Anshuman Arun Bhatt

...Appellant

Versus

Shalini Anshuman Bhatt

...Respondent

WITH

CIVIL APPLICATION NO. 304 OF 2017

IN

FAMILY COURT APPEAL NO. 88 OF 2013

Shalini Anshuman Arun Bhatt

...Applicant

Versus

Anshuman Arun Bhatt

...Respondent

Ms. Manjula Rao, a/w Rohan Deshmukh, Chaya Ashu, Advocates
for the Appellant/husband in FCA/88/2013 & Respondent in
CAM/304/2017.

Mr. M.R. Chouhan, Advocate for Respondent/wife in
FCA/88/2013 & Applicant in CAM/304/2017.

Mr. Anshuman Bhatt, husband is present in Court.

Mrs. Shalini Bhatt, wife is present in Court.

CORAM : B. P. COLABAWALLA &
SOMASEKHAR SUNDARESAN, JJ.

DATE : APRIL 29, 2024

PC :

1. By our order dated 5th April, 2024 we were happy to note that the mediation between the Appellant-husband and the Respondent-wife was successful and the parties had signed the Consent Terms. On 5th April, 2024 the Appellant-husband and the Respondent-wife were also present in the Court. They had both stated that they had signed the Consent Terms after reading and understanding the same as well as the implications thereof. We also noted that the Consent Terms were signed by the Advocates for the Appellant as well as Advocates for the Respondent.

2. In these circumstances, we took those Consent Terms dated 4th April, 2024 on record (the date on which all the parties had signed the Consent Terms) and marked it 'X' for identification. Since the Consent Terms provided that a Gift Deed of Flat No.A-201, Samarpan, Near Magathane Telephone Exchange, Bus Stop Western Express Highway, Borivali (E), Mumbai – 400066 was to be executed by the Appellant-husband in favour of the Respondent-wife, we had placed the matter on board today for reporting compliance as well as passing further orders for a decree of divorce by mutual consent.

3. Today when the matter is called out, the Appellant-husband

and the Respondent-wife, along with their Advocates are present in Court. They have all informed us that the registered Gift Deed in relation to the said flat has been executed and registered, the original of which, has been handed over to the Respondent-wife. A copy of that registered Gift Deed is also tendered to the Court and the Court is requested to take the same on record. Considering these circumstances, the registered Gift Deed executed by the Appellant-husband in favour of the Respondent-wife dated 26th April, 2024 is taken on record and marked 'X-1' for identification.

4. Considering that the Appellant-husband and the Respondent-wife have been residing separately since 2013 and in light of the Consent Terms arrived at between the parties, the Court hereby dissolves the marriage between the Appellant-husband and the Respondent-wife solemnized on 23rd November, 2005 by mutual consent under Section 13-B of the Hindu Marriage Act, 1955.

5. The order of the Family Court, Bandra will now be substituted with the Consent Terms read along with the order dated 5th April, 2024 and the order passed today.

6. The above Appeal is disposed of in the aforesaid terms. However, there shall be no order as to costs.

7. In view of the disposal of the above Appeal nothing survives in the Civil Application and the same is disposed of accordingly.

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.

[SOMASEKHAR SUNDARESAN, J.]

[B. P. COLABAWALLA, J.]