
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
FAMILY COURT APPEAL NO.96 2024
IN
PETITION NO. 'A'-282 OF 2023

LAXMI
SUBHASH
SONTAKKE

Digitally signed by
LAXMI SUBHASH
SONTAKKE
Date: 2024.08.26
11:25:02 +0530

Mrs.Shraddha Nagesh Date

.. Appellant/
Org.Respondent

Versus

Mr.Nagesh Deepak Date

.. Respondent/
Org.Petitioner

Mr.Ketan Shinde, Advocate for the Appellant-Wife.

Mrs.Shraddha N. Date, Appellant-Wife is present in Court.

Mr.Nagesh Deepak Date, Respondent-Husband is present in Court.

CORAM :B. P. COLABAWALLA &
FIRDOSH P. POONIWALLA, JJ.
DATE : AUGUST 23, 2024

P. C.

1. The above Family Court Appeal has been filed by the Appellant-Wife challenging the impugned judgment dated 29th April 2024 dissolving the marriage between her and her husband on the ground of cruelty. The impugned judgment dated 29th April 2024 dissolving marriage was passed *ex-parte*.

2. When the above matter is called out, the parties have tendered Consent Terms dated 23rd August 2024. The Consent Terms *inter alia* provide that the impugned judgment dated 29th April 2024 dissolving the marriage between the parties be set aside and the parties wish to continue to live together as husband and wife. The Consent Terms also provide that the Respondent-Husband withdraws all the allegations made by him against the Appellant-Wife in divorce Petition No.A-282 of 2023 filed by him before the Principle Judge, Family Court, Thane.

3. The Consent Terms have been signed by the Appellant-Wife as well as the Respondent-Husband. Both parties are present in Court. They have stated before the Court that they have signed these Consent Terms of their own free volition and 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. As far as the Respondent is concerned, he has stated that he has not engaged any advocate and does not wish to engage any advocate.

5. In these circumstances, the Consent Terms dated 23rd August 2024 are taken on record and marked 'X' for identification. The undertakings given in the Consent Terms, if any, are accepted as undertakings given to the Court. There shall be an order and decree in terms of the Consent Terms. The impugned judgment and decree dated 29th April 2024 shall now stand set aside and be substituted with these Consent Terms read along with this order.

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

7. 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.

[FIRDOSH P. POONIWALLA, J.]

[B. P. COLABAWALLA, J.]