

HARSHADA H. SAWANT
(P.A.)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

MISCELLANEOUS CIVIL APPLICATION (ST.) NO.6370 OF 2024

Anisha Amit Gavande
Nee Vaibhavi Vikram Amare .. Applicant
Versus
Amit Anand Gavande and Ors. .. Respondents

-
- Mr. Akshay R. Kapadia, Advocate for Applicant.
 - Mr. R. P. Lote, Advocate for Respondent Nos.1 and 2.
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CORAM : MILIND N. JADHAV, J.

DATE : SEPTEMBER 02, 2024

P.C.:

- 1.** Mentioned. Not on Board. Taken on Board.
- 2.** Heard Mr. Kapadia, learned Advocate for Applicant and Mr. Lote, learned Advocate for Respondent Nos.1 and 2.
- 3.** Perused the praecipe dated 02.09.2024 and the Miscellaneous Civil Application.
- 4.** Parties have reconciled their dispute and filed Consent Terms, Consent Terms are dated 27.08.2024 before Mediator appointed by this Court. The original Consent Terms are taken on record and marked 'X' for identification. They are executed by Applicant – Anisha Amit Gawande nee Vaibhavi Vikram Amare; Advocate for Applicant – Ms. Priya S. Maiti; Respondent No.1 – Amit Anand Gawande; Respondent No.2 – Anjali Anand Gawande; Advocate

for Respondent Nos.1 and 2. They are totally running into 6 pages
alongwith Mediator's Report dated 27.08.2024. For the sake of
reference and convenience the same are scanned and reproduced
below:-

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"X" *M. Jadhav* 02/9/2024

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
MISC. CIVIL APPLICATION NO. 123 OF 2024
DISTRICT : MUMBAI

Anisha Amit Gavande.	)
Nee Vaibhavi Vikram Amare	)
Aged 27 years, Occ: Service, Room No.3,	)
Kasle Chawl, Adarsh Nagar,	)
Jambhli Pada, Kalina, Santacruz(East),	)
Mumbai-400 029	)Applicant
VERSUS	
1. Amit Anand Gavande	)
Aged 32 years, Occu: Service, residing at No.102,	)
A Wing, Pushpagiri Building, Atmaram Nagar,	)
Kalyan(East), Dist-Thane-421306	)
2. Anjali Anand Gavande	)
Aged 60 years, Occu: Housewife	)
Residing at flat No. 102, A wing,	)

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Pushpagiri Building, Atmaram Nagar,
Kalyan(East), Dist Thane-421306

)
). Respondents

On Board:

Date: 13/8/2024

CONSENT TERMS

1. The applicants and respondents' states that they have amicably and mutually resolved and settled all the issues/dispute pertaining to their respective claims as regards their marriage, including stridhan, properties and articles etc and now no claim left to be settled/resolved.
2. That the Applicant and respondent No.1 both were married on 26.5.2022 and the marriage was solemnized at Thane, Dist-Thane, as per Hindu rites and rituals with the blessing of elders and family and friends. There are no issues out of said wedlock. Hence both the parties viz. applicant and respondent No.1 wish to file the present Consent Terms by mutual consent before this Honourable Court.
3. In lieu of marriage between the applicant and respondent No.1 is being dissolved, the respondent No.1, hereby agrees and thus pay by DD bearing No. 500242 drawn on ICICI Bank Ltd., a sum of Rs.3,00,000/=(Rs. Three lakhs Only), towards full and final settlement of any claim, right title and interest of the applicant against respondent No.1 herein. Applicant accepts the same, on the terms and conditions herein stated.

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4. It is agreed between Applicant and Respondent No.1 that marriage petition bearing No. 1084/2023, before Civil Judge, Senior Division, Kalyan shall be amended u/s 13-B of Hindu Marriage Act, 1955 to the effect that marriage between Anisha Amit Gawande and Amit Anant Gawande, solemnized at Thane on 26/5/2022 shall stand dissolved by Decree of Divorce.

5. It is further agreed that the applicant Anisha Gawande shall remain present before Civil Judge Senior Division at Kalyan at the first date of hearing and thereafter and shall give her consent on the petition to be presented for dissolution of marriage by decree of divorce, wherever necessary.

6. The Applicant and Respondent No.1 states that they have exchanged their gifts, articles and ornaments by mutual understanding. The Applicant and Respondent No.1 hereby agrees, admits and declare that each one of them has no claim or dispute of any nature against each other, and shall not have any claim against each other in respect of maintenance and/or permanent alimony, jewellery, articles including sridhan etc in future.

7. The Applicant and Respondent No.1 further states that all the issues between them have been mutually resolved and/or settled amicably by

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way of withdrawal of all pending cases/legal proceedings of civil or criminal nature by both of them as follows.

8. Applicant has filed a Petition for restitution of conjugal rights bearing No. A 38 of 2024 in the Family Court at Bandra, Mumbai. Applicant viz. Anisha Amit Gawande undertakes to withdraw the said petition and/or any other proceedings on filing of the present Consent Terms.

9. R. No. 2 i.e. Mother of R.No.1 has filed the D. V. Application bearing No. 87 of 2023 against the Applicant which is pending before the J.M.F.C 1st Court, Kalyan. The Respondent No.2 agrees to withdraw the same without any condition on filing of this Consent Terms. Pursuant to this consent terms, the father of R.No.1 viz. Anand Gawande agrees to withdraw the Criminal Case No. 5517/2023 filed before the J.M.F.C 1st Court at Kalyan against Applicant.

10. The Applicant shall not make any application for maintenance or any other claim of whatsoever nature against respondent no.1 or against the family members of respondent no.1 in future.

11. Both, the Applicant and respondent No.1 hereto declare that neither of them shall have any rights title or claim of whatsoever nature of any movable or immovable properties or any part thereof currently held or acquired or inherited in future, wherever situated, and or possessed by

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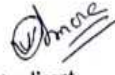
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either of them and shall not claim any rights may have at any time to take share of other property.

12. The Applicant and respondent no.1 states and submits that above terms and condition shall be fulfilled by both the parties and accordingly both the parties reduce in writing the aforesaid Consent, which is mutually agreed and binding on both the parties.

13. The Misc. Civil Application stands disposed off in above terms and stay granted stands vacated.


Advocate for Applicant
Adv. Priya S. Mani
(for A.R. Kapadia)


Applicant
(Anisha Amit Gawande)
Ne Vaibhavi Vikram Amare)


Respondent No.1
(Amit Anand Gawande)


Advocate for respondent No. 1 & 2

सौ. अंजली आनंद गवडे
Respondent No.2
(Anjali Anand Gawande)

Dec 27/8/2024
Mumbai



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UTILITY FORMS PVT. LTD. / CTS - 2016

A/C PAYEE ONLY
ICICI Bank

04 PRADEEP HOINT, MUMBAI

500242

DATE 11/12/2024

VALID FOR THREE MONTHS ONLY

ON DEMAND PAY

RUPEES

THREE LAKH ONLY

₹ 3,00,000.00

*****3.00,000.00*****

FOR ORDER

PURCHASER NAME: ANIT ANAND GANADE

TL/3/6/ Mob/ Above 3,00,000.00

6983DDCEPAX
KALYAN (EAST)

Issuing Branch

Authorized Signatory

Authorized Signatory

Signature

Main Mediation Centre	
High Court of Judicature At Bombay	
104, P. W. D. Building, 1st Floor,	
High Court, Bombay.	
Inward No.	1428
Date:	27/8/24

SMT. JYOTSNA S. KAMBLE
(ADVOCATE)

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Address: Building No.21, Room No.28, 300 Tenements,
Deonar Municipal Colony, Govandi(W), Mumbai – 400 043.
Mob.No. 9604711443, Mail ID-jyotsnakambale@gmail.com.

Ref: MEDIATION REPORT Date: 27/08/2024

IN THE HIGH COURT OF JUDICATURE, AT MUMBAI
CIVIL APPELLATE JURISDICTION
MISCELLANEOUS CIVIL APPLICATION NO.123 of 2024

Anisha Amit Gavande Nee Vaibhavi Vikram Amare.... Applicant

Versus

Amit Anand Gavande and anr. Respondent

As per Mail to me by Mediation Centre, Bombay High Court on 07/08/2024, I
have been appointed mediator in the above said matter.

- 1) The First meeting was held on 09/08/2024 at 2.30 p.m. as per order dated
30/07/2024 passed by Coram : Hon'ble Arun R. Pedneker, J. High Court
Bombay. In the said meeting the applicant, respondent and their
respective Advocates remained present, both the parties reached for
settlement and their advocates sought time for filing Consent Terms on
their part.

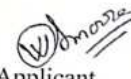

Deputy Registrar,
(Mediation Work)
High Court of Bombay.

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- 2) The Second Meeting was held on 27/08/2024 at 2.30 p.m .
That matter is amicably settled between the parties. The respondent has to issue amount of Rs. 3,00,000/- (Rs. Three Lakh Only) on the date listed on board before the Hon'ble High Court vide DD bearing No.500242 drawn on ICICI Bank Ltd as full and final settlement .
- 3) The Applicant and the Respondent has produced Consent Terms in written hereby attached along with this Mediation Report. Now there is no other issues left on the apart of both the parties.

Place: Mediation Centre, BHC


Advocate for the Applicant
(Adv. Priya S. Mankar
for Adv. Akshay R. Kopardi)


Applicant
(Anisha Amit Gavande
Nee Vaibhavi Vikram Amare)


Advocate for Respondent No.1 & 2


Respondent No.1
(Amit Anand Gavande)


Mediator Adv. Jyotsna Kamble
Date:27/08/2024, Time- 3.00 p.m.

Respondent No.2
(Anjali Anand Gavande)
Resp. No.2 not present due to illness
but have signed Consent Terms.

5. Parties are bound by the rights and obligations and more specifically obligations to be fulfilled and stated in the Consent Terms. These obligations are taken as undertaking given to this Court and parties shall abide by them.

- 6.** Order in terms of Consent Terms.
- 7.** In view of the above, Miscellaneous Civil Application is disposed in terms of Consent Terms.

H. H. SAWANT

[MILIND N. JADHAV, J.]

HARSHADA
HANUMANT
SAWANT

Digitally
signed by
HARSHADA
HANUMANT
SAWANT
Date:
2024.09.03
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