

IN THE PARSİ CHİEF MATRİMONİAL COURT AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

PARSI SUIT NO.14 OF 2024

Darius Rusi Dalal ...Plaintiff No.1

V/s.

Annaheita Darius Dalal ...Plaintiff No.2

Mr. P.C. Contractor, Advocate for the Plaintiffs.

CORAM : ABHAY AHUJA, J.
DATE : 28 NOVEMBER 2024

PC. :

1. This Suit seeks decree of divorce by mutual consent between the Plaintiffs.

2. When the matter is called out, Ms. Contractor, learned Counsel appears for the Plaintiffs and tenders across the bar affidavit of compliance of consent terms signed by the Plaintiffs, however, submitting that if some time is granted, affidavit of evidence of both the Plaintiffs which has remained to be filed through inadvertence, would be filed.

3. Under Section 32-B of the Parsi Marriage and Divorce Act, this Court has to be satisfied that the parties have not been able to live together. It is observed that there are two children out of the said

wedlock, one is 18 years and other is 14 years. Upon a query from the Court, whether the couple has been referred to counseling, Ms. Contractor submits that although the Plaintiff No. 1 has taken counseling sessions privately, however, there has been no institutional counseling and that if this Court so desires, the Court may consider the same. Ms. Contractor however, submits that she has been trying to mediate between the parties for the last few years without any success and therefore, this Suit for divorce by mutual consent has come to be filed.

4. Having heard the learned Counsel and having considered the submissions and the facts in the matter, this Court is of the view that for being satisfied, the Court is permitted to make such inquiry as this Court deems appropriate. However, before embarking on the inquiry, I am of the view that the parties be referred to counseling under Rule 29-B of the Rules framed by the High Court at Judicature of Bombay for The Parsi Chief Matrimonial Court.

5. Let the parties approach the Main Mediation Centre at Mumbai for appointment of an appropriate marriage Counselor. Let the Main Mediation Centre appoint a marriage Counselor for the parties within a

period of two weeks. Let the parties also cooperate with the Counselor so appointed, after which this Court would consider the Suit.

6. List on **9th January, 2025**. Also by the next date, let affidavits of evidence of the Plaintiffs be filed.

(ABHAY AHUJA, J.)