

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD.

948 FAMILY COURT APPEAL NO. 21 OF 2024

Rakesh Manohar Katle

....Appellant

Versus

Sou. Riddhi Rakesh Katle

.....Respondent

.....

Shri. Kiran Dantal, Advocate for the Appellant

Shri. Sagar A. Rasal, Advocate for Respondent

.....

WITH

CIVIL APPLICATION NO. 2041 OF 2025
IN FCA/21/2024

.....

CORAM : R. G. AVACHAT AND
NEERAJ P. DHOTE, JJ.

Dated : FEBRUARY 21, 2025

PER COURT :-

. This is the Family Court Appeal against the Order dated 11.09.2023 passed by the Family Court, Aurangabad in Petition No. A-583/2021 by which the Petition under Section 13(1)(ib) of the Hindu Marriage Act, 1955 for divorce came to be dismissed.

2. This Appeal is by the Husband. The Husband as well as the Wife are personally present before this Court along with their respective learned Advocates. On the previous occasion, the parties were allowed to convert the original proceedings into the Petition for divorce by mutual consent.

3. The Advocates for the parties submit that the Record and Proceedings is not called in the Appeal and therefore, they may be allowed to amend the original Marriage Petition, which was filed before the learned Family Court, Aurangabad.

4. There is no dispute that the parties have been residing separately since the year 2012. Now, they want to get the decree of divorce by mutual consent. We allow the parties to amend the original family court matter into Petition for mutual divorce. It is expected that the decision in the amended Petition shall be taken within a period of six (6) months from the date of amendment.

5. In view of the above, the Family Court Appeal along with pending Civil Application stand disposed of.

(NEERAJ P. DHOTE, J.)

(R. G. AVACHAT, J.)

GGP