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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 7036 OF 2024

Harshal Arvind Bhatkar ...Petitioner
Versus
Mrs. Prajakta Harshal Bhatkar ...Respondent

Ms. Nidhi M.Patel i/b. Mr. Vikrant Parashurami, for Petitioner.
Ms. Prerna Shukla, for Respondent.

CORAM: AARTI SATHE, J.

DATE : 20th September 2025

P.C.

1. By way of the present Petition, Petitioner challenges the impugned order dated 7th January 2023, passed by the Family Court, Bandra on Exhibit 50 in MJ Petition No.A - 1581/2017, whereby an application made by the Petitioner for directing the adjustment of the excess amount made by either refunding the amount to the Petitioner herein or adjusting it to the future maintenance of Petitioner's son Adhiraj Bhaskar was rejected.

2. When the matter was called out counsel for the Petitioner submitted that she seeks time to take necessary instructions. Learned counsel for the Respondent has handed over to us a copy of the Judgment dated 15th March 2024, passed by the learned Judge Family Court, Bandra wherein it has been categorically held that M.J.Petition No.A-1581/2017 was converted in to the Petition for Divorce by mutual consent under the provisions of Section 13B of the Hindu Marriage Act, 1955. In view thereof the matter has got finally disposed of and

Consent Terms have been signed by both the Petitioner and Respondents, which form part of the Petition filed before the Family Court in M.J.Petition No.A-1581/2017. It has been held in the aforesaid Judgment that the period of separation between the Petitioner and Respondent is more than one year. They have agreed that they shall withdraw allegations and counter allegations. They have exchanged their articles, ornaments etc. and in such circumstances they have no other claim of whatsoever nature against each other and there is no possibility of reunion between the parties. In view of this judgment passed by the Family Court, Bandra in M.J.Petition No. A-1581/2017, this Court is of the view that nothing survives in the present Petition as the dispute between the parties has got finally settled by the Judgment dated 15th March 2024, passed by the Family Court, Bandra.

3. In view thereof, the aforesaid Petition has become infructuous and therefore this Court is inclined to dismiss the same and hence dismissed.

4. No order as to costs.

(AARTI SATHE, J.)