

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 14176 OF 2023

Mr. Deepak Baban Gawali	...Petitioner
<i>Versus</i>	
Mrs. Anuja Deepak Gawali	
Alias Anuja Vitthal Shelke	...Respondent

WITH

INTERIM APPLICATION NO. 1044 OF 2024

IN

WRIT PETITION NO. 14176 OF 2023

Mr. Deepak Baban Gawali	...Petitioner
<i>Versus</i>	
Mrs. Anuja Deepak Gawali	...Respondent
Alias Anuja Vitthal Shelke	

WITH

WRIT PETITION NO. 6257 OF 2024

Anuja Deepak Gawali	...Petitioner
<i>Versus</i>	
Deepak Baban Gawali	...Respondent

WITH

WRIT PETITION NO. 12762 OF 2024

Anuja Deepak Gawali	...Petitioner
<i>Versus</i>	
Deepak Baban Gawali	...Respondent

Mr. Pranav Bhoite, for the Petitioner (in WP No.14176/2023)
Mr. Amol B. Jagtap, for the Petitioner (in WP No.6257/2024 & WP
12762/2023) and (Respondent in WP No.14176/2023)
Ms. Darshana Kambli a/w P.B. Gujar, for the Respondent (in WP
No. 6257/2024 & WP No. 12762/2024)

CORAM: MADHAV J. JAMDAR, J.
DATED : 07th OCTOBER 2025

PC:-

1. A learned Single Judge by order dated 19th August 2023 referred the matter to the Main Mediation Centre for appointment of an appropriate Mediator for conducting Mediation meetings at Pune. Accordingly, Shri. Yogesh D. Koenkar, learned 5th Joint Civil Judge Junior Division & JMFC, Pune has been appointed as Mediator. The learned Mediator has conducted three meetings and drawn the Consent Terms.

2. A copy of the Consent Terms as drawn by the learned Mediator is signed by the parties in the Court. The Consent Terms are signed by the husband – Deepak Baban Gawali and wife – Anuja Deepak Gawali @ Anuja Vitthal Shelke. The Consent Terms are also signed by respective Advocates. The respective Advocates identifies the signatures of the respective parties put on the Consent Terms. Husband – Deepak Baban Gawali and wife – Anuja Deepak Gawali @ Anuja Vitthal Shelke are personally present in Court. Both of them state that

the Consent Terms are signed by them and the same are agreeable to them.

3. Accordingly, the said Consent Terms are taken on record and marked 'X' for identification. A scanned copy of consent terms is reproduced herein below :-

CONSENT TERMS

A. The petitioner and the respondent state that in order to avoid confusion Petitioner and the Respondent hereinafter referred to as wife and husband

B. The wife and Husband have solemnized their marriage on 28/12/2010.

C. There are 2 issues (daughters) born out of the said wedlock namely Tanisha born on 15/12/2014 and Durva born on 12/02/2019. That as on today both the daughters are in the care and custody of the mother.

D. The wife and Husband have the following cases filed against each other and their respective family members.

S. No.	Case Number	Status
R.C.C 307/2020 Under section 498-A, 504, 506, 34 IPC		
1.	R.C.C 307/2020 Under section 498-A, 504, 506, 34 IPC(Filed by wife against Husband - Deepak Baban Gawali, Father-in-Law: Baban Haribhau Gawali, Mother-in Law: Alka Baban Gawali, Sister-in-Law: Rakhi Rajesh Natu, Sister-in Law: Reshma Sandeep Taware Rajesh Natu (Husband of Sister-in-Law Rakhi Natu)	It is in J.M.F.C. Ghodnadi (Shirur Court). It is evidence Part heard Stage.
2	Cri. Rev. App./154/2024 (Pending before 94-District Judge -11 Addl. Sessions Judge Pune)	Pending.

2

Page 3

	(Application U/Sec. 311 was filed to provide additional evidence in R. C. C.No: 307/2020. The same was rejected. The order is challenged before the Hon'ble Sessions court, Pune.	
RCC 462/2021 U/Sec. 420,406,465,467,468,120B,34 IPC.		
3	RCC 462/2021 Pending before 5th-4th Joint C J J D And J M F C Daund filed by wife against Husband: Deepak Baban Gawali, Father-in-Law: Baban Haribhau Gawali, Mother-in-Law: Alka Baban Gawali and Cousin Brother in Law: Raju Subhash Gawali.	Charge Sheet is filed. Charges are not framed. There is interim Stay given by Mumbai High in the present matter since Baban Haribhau Gawali, Alka Baban Gawali and Raju Subhash Gawali has filed writ petition WP/4121/2021 in Mumbai high court for quashing.
4	Writ Petition No: 4121/2021 For quashing filed by Baban Haribhau Gawali, Alka Baban Gawali and Raju Subhash Gawali.	Pending
Spl. Civil suit: 205/2024		
5	Spl. Civil Suit: 205/2024: Filed by the wife herein against the Husband and the mother in law, before the Hon'ble C.J.S.D, Daund, wherein father in law i.e. Mr. Baban H. Gawali is recently added as third party Defendant.	Pending

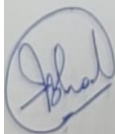
R.C.S. No: 226/2024		
6	R.C.S. No: 226/2024: filed by the father in law(Mr. Baban Gawali) of the wife herein against the Husband(Mr. Deepak Gawali), herein, mother of the Husband Mrs. Alka Baban Gawali and the wife Mrs. Anuja Gawali before the Hon'ble C.J.S.D, Daund.	Pending
Marriage Petition No: 1043/2020		
7	Marriage Petition 1043/2020 Filed by her Husband Deepak Gawali seeking Divorce in Ld. Civil Judge, Senior Division, Pune.	Pending. Husband has challenged the interim maintenance order passed in this petition before the Hon'ble High Court in W.P.No:14176/2023.
8	Writ Petition no WP/14176/2023. Filed by the husband before the Hon'ble High Court of Bombay challenging interim maintenance awarded by Ld. Civil Judge, Senior Division, Pune.	Pending. In the said petition, the matter was sent for mediation.
Marriage Petition No: 178/2023		
9	Marriage Petition No: 178/2023 Filed by Wife Anuja Deepak Gawali seeking Divorce and other reliefs before the Hon'ble Civil Judge, Senior Division, Pune.	Pending. Wife has challenged the interim maintenance order passed in WP/6257/2024

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		petition before the Hon'ble High Court. Wife has also challenged the order of Production of Documents in WP/12762/2024 before the Hon'ble High Court.
10	Writ Petition No. WP/6257/2024 Filed by the wife before the Hon'ble High Court of Bombay challenging the interim maintenance order passed by Ld. Civil Judge, Senior Division, Pune.	Pending. In the said petition, the matter was sent for mediation.
11	Writ Petition No WP/12762/2024 Filed by the wife before the Hon'ble High Court Of Bombay challenging order pertaining to production of documents passed by Ld. Civil Judge, Senior Division, Pune.	Pending. In the said petition, the matter was sent for mediation.

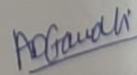
E. The wife and Husband herein have mutually agreed to dissolve their marriage by a Decree of divorce by mutual consent on the following terms and conditions:

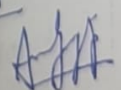
1. The petitioner and the respondent have agreed to dissolve their marriage dated 28/12/2010 by Decree of divorce by mutual consent.
2. All the allegations made by the wife and Husband against each other stands unconditionally withdrawn and they both


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5


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withdraw all their claims in all the pending cases/ complaints/ petition/ W.S/ Applications / Say of all pending suits/ petitions.

3. The parties have agreed that they shall withdraw all the cases filed by them through themselves or their family members against each other and respective family members before filing of the final motion affidavits.

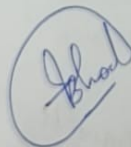
4. It is agreed between the wife and Husband that the respective parties shall bear their respective expenses towards the withdrawal of cases.

5. MAINTENANCE:

a. The wife and Husband have voluntarily waived off their rights to claim maintenance against each other which includes past, present and future maintenance under any law.

b. It is further agreed between wife and Husband that husband shall pay an amount of Rs.50,00,000/- (Fifty Lakhs) towards one-time permanent alimony towards daughters via 2 demand Drafts of Rs 25,00,000/- lac each in the name of the wife i.e Anuja Deepak Gawali. The said Demand Drafts shall be deposited in the safe custody of Nazar of the Hon'ble C.J.S.D. Pune within fifteen days of the signing of consent terms.

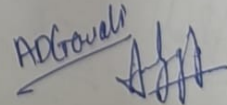
c. That the wife shall be entitle to withdraw the D.D. from the Nazar custody at the time of filing of final motion affidavits before the Hon'ble C.J.S.D.



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6. CUSTODY:

- a. It is agreed between the Husband and wife that the daughters Tanisha and Durva shall be in the permanent custody of the mother i.e. the wife. Thus the mother i.e. the wife shall be the sole custodian of the daughters. It is further agreed that the wife shall take responsibility of the children for present and future including financial expenses of the children.
- b. The Husband shall have access of daughters as per convenience of daughters once in every month i.e. 1st Sunday of every month from 11 am to 5 pm in the presence of the wife. The place shall be mutually agreed by the Husband and wife respectively. The husband will have access to daughters on whatsapp audio call or video call once a week as per the convenience and schedule of the daughters. The Husband can approach the Court for non-compliance of consent terms. The Wife can approach the Court if the Husband misuses access given to him. The Husband and wife shall cooperate with the routine of the daughters for his access.

7. BELONGINGS:

- A. The Husband and wife have no claim against each other over each other's belongings including clothes, documents, jewelry, Streedhan.
8. It is agreed between both the parties that in future both the parties and the daughters shall have no claims of whatsoever nature over the movable or immovable property / properties /self-acquired as well as ancestral properties of each other and the parents of the Husband (Mr. Baban Gawali and Ms. Alka Gawali.)

9. It is agreed that both parties and daughters will not file any matrimonial/ civil/ criminal proceedings /suit/ claim / domestic violence proceedings against each other and their relatives with regard to any disputes arising out of the said matrimonial relationship.

10. It is further agreed between the petitioners that the parties shall not interfere in each other's life after decree of Divorce is passed.

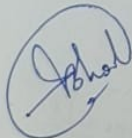
11. The Petitioners and respondent shall not interfere in the personal and professional lives of each other and their family members nor create any hindrance to each other and/or disturb each other's life in any way.

**F. EXECUTION OF THE ABOVE CONSENT TERMS/
WITHDRAWAL OF CASES/ AND MODE OF PAYMENT:**

1. It is agreed between the wife and Husband that the Husband herein shall deposit demand drafts of total amount of Rs.50 lacs (Fifty lakhs) drawn in the name of the wife i.e. Anuja Deepak Gawali before the Hon'ble C.J.S.D., Pune (Safe custody of Nazar) within fifteen days of the signing of consent terms.

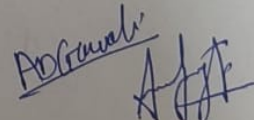
2. After depositing the demand drafts of worth Rs.50 lakhs as stated hereinabove in the safe custody of Nazar, the wife and the Husband shall together withdraw the following writ petitions:

A. Writ Petition No. WP/6257/2024 Filed by the wife before the Hon'ble High Court of Bombay challenging


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8


Anuja Deepak Gawali

the interim maintenance order passed by Ld. Civil Judge, Senior Division, Pune.

B. Writ Petition No WP/12762/2024 Filed by the wife before the Hon'ble High Court of Bombay challenging order pertaining to production of documents passed by Ld. Civil Judge, Senior Division, Pune.

C. Writ Petition no WP/14176/2023 Filed by the husband before the Hon'ble High Court of Bombay challenging interim maintenance awarded by Ld. Civil Judge, Senior Division, Pune.

3. The wife and the Husband shall then proceed to withdraw the following cases filed:

A. R.C.C 307/2020 Under section 498-A, 504, 506, 34 IPC. The same is filed by the wife Against Husband - Deepak Baban Gawali, Father-in-Law: Baban Haribhau Gawali, Mother-in Law: Alka Baban Gawali, Sister-in-Law: Rakhi Rajesh Natu, Sister-in Law: Reshma Sandeep Taware Rajesh Natu (Husband of Sister-in-Law Rakhi Natu).

The Husband and others shall file necessary writ petition to quash the said complaint. The wife shall co-operate in having the criminal case withdrawn by filling the necessary consent affidavit.

B. The wife shall withdraw the Cri. Rev. App./154/2024 filed by her challenging an order passed in R.C.C.307/2020.(94-District Judge -11 Addl. Sessions Judge Pune)

4. The Husband and wife shall submit these compromise terms for withdrawal / compromises of the following civil cases simultaneously:

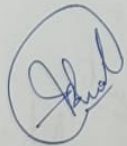
A. R.C.S. No:1072/2024: filed by the father-in-law of the wife herein against the Husband, the mother of the Husband and the wife pending before the Hon'ble C.J.S.D, Daund will be withdrawn by the father-in-law of wife, namely Shri Baban Gawali.

B. That with respect to **Spl.Civil Suit: 205/2024** filed by the wife herein against the Husband and the mother-in-law pending before the Hon'ble C.J.S.D, Daund compromise/consent terms will be filed by the concerned parties, wherein the wife shall state that the suit property is the self-acquired/ absolute property of the mother in law. That the compromise terms will be filed in order to get a compromise decree.

C. The wife has waived off her right to claim Rs.13 lacs as claimed in the said **Spl.Civil Suit: 205/2024** in Para no 18(b).

5. The wife and the Husband shall then proceed to withdraw the following cases filed:

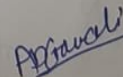
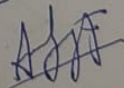
A. R.C.C. No: 462/2021 filed U/Sec.420,406,465,467,468,120B,34 IPC pending before 5th-4th Joint C J J D And J M F C Daund (Criminal FIR filed in Yavat Police Station, Daund and Case for land cheating) against Husband: Deepak Baban Gawali, Father-in-Law: Baban Haribhau



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Gawali, Mother-in-Law: Alka Baban Gawali and
Cousin Brother in Law: Raju Subhash Gawali.

The Father-in-Law: Baban Haribhau Gawali, Mother-
in-Law: Alka Baban Gawali and Cousin Brother in
Law: Raju Subhash Gawali have already filed a Writ
Petition bearing **Writ Petition No: 4121/2021** for
quashing the above complaint. That the wife will file
necessary affidavits and will co-operate in all aspects
for the quashing the above referred matter.

That for the present case R.C.C 462/2021, the
husband herein shall also file necessary writ petition
to have complaint against him withdrawn. The wife
shall file necessary affidavit for the said withdrawal.

6. After all the cases are withdrawn the Husband shall
withdraw the petition bearing **M. P. No: 1043/2020** filed
before the Hon'ble C.J.S.D. Pune.

G. After all the above-mentioned cases are withdrawn the wife and
the Husband shall file necessary compliance purshis of compliance
of all the consent terms along with final judgement/orders copy of
all cases so that necessary decree is drawn in M.P. No: 178/2023.
While filing the final motion affidavits, the Husband will give his
no objection to withdraw the D.D. from the custody of
Nazir/Superintendent when the wife files an application.

H. All the above consent terms shall be executed within not more than
a period of 1 month from the date when the consent terms are filed
before the Hon'ble Bombay High court.

I. All the terms and conditions are read over to both the parties ,
explained and they have understood it before its execution without

any force, fraud and undue influence. All the terms and conditions are thus binding upon both the parties.

PUNE

DATED: 10/03/2025

ADV. FOR HUSBAND

ADV. FOR WIFE

HUSBAND

WIFE

Adv. for Consenting
Party
[For R. R. Deokar]

Adv. Praveen Bhoirde
(Adv. for Husband)

Adv. for P. B. Gujar
Adv. for Husband

Adv. Anuja Gawali
Adv. Amol & Jagtap
07/10/2025

Signed by both parties
and advocates on
07/10/2025
at Sr. 9/18 on 07/10/2025
Coram: Hon'ble Justice Shri Madhavar
Jamdar.

4. The Report sent by learned Mediator by enclosing consent terms signed by the parties is also taken on record and marked 'X-1' for identification.

5. The respective learned Counsels as well as husband – Deepak Baban Gawali and wife – Anuja Deepak Gawali @ Anuja Vitthal Shelke states that althgouh the consent terms records that the amount of Rs.50,00,000/- will be deposited before the learned Trial Court, however, husband – Deepak Baban Gawali has handed over two Demand Drafts of Rs.25,00,000/- each bearing Nos. 255905 and 255906 issued on State Bank of India to Ms. Anuja Deepak Gawali @ Anuja Vitthal Shelke as the period of the Demand Drafts would come to an end on 28th October 2025. Ms. Anuja Deepak Gawali @ Anuja Vitthal Shelke, states that all the terms and conditions of the consent terms will be complied with by her. The said statement of Ms. Anuja Deepak Gawali @ Anuja Vitthal Shelke is accepted as undertaking given to this Court. It is made very clear that the Court is accepting the consent terms

with modification, in view of the express undertaking given by Ms. Anuja Deepak Gawali @ Anuja Vitthal Shelke that she will abide by the consent terms. Ms. Anuja Deepak Gawali @ Anuja Vitthal Shelke further gives undertaking to this Court that said Amount of Rs.50,00,000/- will be kept in fixed deposit till the consent terms are fully complied with. The said statement made by Ms. Anuja Deepak Gawali @ Anuja Vitthal Shelke is accepted as undertaking given to this Court.

6. Various statements made in the consent terms are accepted as undertakings given to this Court by both the parties.

7. Husband – Deepak Baban Gawali and wife – Anuja Deepak Gawali @ Anuja Vitthal Shelke state that they have instructions to give undertaking even on behalf of their parents as some of the cases are required to be withdrawn by the parents. The said undertakings are also accepted.

8. As parties have settled the dispute, the learned Trial Court is requested to dispose of Marriage Petition No. 178 of 2023 and Marriage Petition No. 1043 of 2020 expeditiously, in accordance with law.

9. Accordingly, all the Writ Petitions are disposed of in terms of the consent terms subject to above modifications. In view of the disposal of the Writ Petitions nothing survives in the Interim Application and the same is also disposed of.

10. Although, the Writ Petitions are disposed of, stand over to **16th December 2025** to report the compliance of this order.

11. This Court places on record appreciation of the efforts made by Shri Yogesh D. Koenkar, learned 5th Joint Civil Judge Junior Division & JMFC, Pune to successfully mediate the dispute between the parties.

[MADHAV J. JAMDAR, J.]