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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

VASANT
ANANDRAO
IDHOL

FAMILY COURT APPEAL NO.108 OF 2025

Digitally signed by
VASANT
ANANDRAO
IDHOL

Date: 2025.12.11
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Neha Kaul,	)	
Hindu, Indian Inhabitant	)	
Aged : 35 years, Occ : Freelancer	)	
Residing at F 1101, F Block	)	
Sharada Devi Road, Opp. Ascend	)	
International School, Bandra Kurla	)	
Complex, Bandra East, Mumbai -51.	)	...Appellant

..Versus..

Warren D'Souza,	)	
Christian, Indian Inhabitant	)	
Aged : 36 years, Occ : Service	)	
Residing at 202/B, Sundar Park,	)	
Veera Desai Link Road, Andheri (W)	)	
Mumbai – 400 053.	)	...Respondent

Mrs.Taubon F. Irani with Ms.Moksha Kothari and Ms.Divya Shaina for the Appellant.

Appellant present in person.

Mr.Samarth Moray i/b Ms.Shivani Shinde for the Respondent.

CORAM : REVATI MOHITE DERE &
SANDESH D. PATIL, JJ.
DATE : 4TH DECEMBER, 2025.

JUDGMENT :- (Per Sandesh D. Patil, J.)

1. Rule. Rule is made returnable forthwith with the consent of the parties and taken up for final disposal.
2. Heard learned counsel appearing for the parties.
3. The present Appeal is being directed against the judgment and order dated 4th June, 2025 passed by the learned Judge, Family Court, Bandra, Mumbai in Marriage Petition bearing No.A-1513 of 2024 filed by the Appellant.
4. The Petition was filed by the Appellant to declare her marriage solemnized on 19th November, 2022 at Mumbai and registered under Indian Christian Marriage Act, 1872 to Respondent to be null and void under Section 18 of the Divorce Act, 1869.
5. During the pendency of this Appeal, the parties have reached to an amicable settlement and have drawn up consent terms dated 4th December, 2025. The same are taken on record

and marked “X” for identification.

6. The said consent terms are reproduced as under :-

“CONSENT TERMS

The parties to the present appeal are agreeable to a divorce by mutual consent u/s Section 10A of the Divorce Act, 1889, dissolving the marriage solemnized between the Appellant and Respondent dated 19-11-2022 at Good Shepard Church duly registered at Register No. 2022/9 subject to the following Terms and Conditions:

TERMS AND CONDITIONS

A. Both parties agree and declare that their marriage is solemnized on 19-11-2022 and they are residing separately since 22-12-2022.

B. Both parties withdraw all allegations, if any, made against each other.

C. Both parties agree and declare that there is no issue born from the wedlock and none is expected.

D. The Appellant agrees and accepts that all her streedhan has already been returned to her under the Consent Terms filed in Petition No. F-425 of 2024 and neither party has any other or further claim against the other.

E. The parties have no claims pending between and/or against each other with respect to

movable/immovable tangible/intangible properties owned or to be owned by them now or in future.

F. The parties are in possession of their personal belongings and jewelleries and have no claim against each other or their respective family members.

G. The parties shall not interfere in each other's lives after the passing of the Decree.

H. The parties shall not file any further cases against each other after passing of the Decree.

I. The parties shall not make any slanderous statements against each other or their family members on any social media and society at large.

J. The parties have arrived at these terms at their own free will, being of sound mind, without any force, pressure or coercion from anyone.

K. The parties have read over these terms and after having fully understood the meaning and implications thereof have thereafter affixed their respective signatures to the said Consent terms.

L. The parties agree and declare that these consent terms are a composite whole and neither of the terms are severable from the other.

M. The parties undertake that they shall not retract from these consent terms and undertake to abide and honour the same.

N. The parties agree that save and except what is stated herein above there are no further claims against each other and/or their family members.”

7. We have heard the learned counsel appearing for the parties. We have perused the consent terms. We have asked the parties, who are present before us as to whether they are agreeable to the consent terms and whether the consent terms were executed by them out of their free will. Both the parties have replied in affirmative.

8. In light of the consent terms which are tendered before this Court and in view of Section 10-A of the Divorce Act and further being satisfied that the parties had been living separately for about two years prior to the execution of this consent terms, we find it appropriate to grant divorce by mutual consent. Accordingly we pass the following order :-

ORDER

- i). The marriage solemnized between the parties on 19th November, 2022 is hereby dissolved by mutual consent.
- ii). The decree be drawn in terms of the aforesaid consent

terms.

iii). There shall be no order as to costs.

9. Rule is made absolute accordingly.

10. All parties to act on the authenticated copy of this order.

(SANDESH D. PATIL, J.)

(REVATI MOHITE DERE, J.)