



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

FAMILY COURT APPEAL NO.43 OF 2025

Jagdish s/o Ramji Pingle Vs. Asha W/o Jagdish Pingle
WITH

CIVIL APPLICATION NO.245 OF 2025 IN
FAMILY COURT APPEAL NO.22064 OF 2024

Jagdish s/o Ramji Pingle Vs. Asha W/o Jagdish Pingle

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Shri S.L. Kotwal, Advocate for appellant.

Shri V.G. Ingole, Advocate for respondent.

CORAM : SMT. M.S. JAWALKAR & M.W. CHANDWANI, JJ.

DATE : 12.12.2025.

The present divorce matter was referred to the Counselor vide order dated 15.07.2025. In response thereto, the parties have amicably settled their dispute before the learned Counselor on the terms and conditions mentioned in the agreement / application appended with the report dated 12.09.2025 issued by the learned Counselor.

2. Today, both the appellant as well as the respondent, who are identified by their counsels, are present. On query, they admit to the execution of the settlement before the learned Counselor based on the terms and conditions as mentioned in the agreement/ application for passing of the compromise decree. Having interacted with both the parties, they appear to be ad idem to the terms and conditions mentioned in the agreement / application.

3. So far as the amount of ₹3,70,000/- (Three Lakhs Seventy Thousand) towards arrears of maintenance is concerned, the appellant undertakes to deposit the said amount in this Court during the course of day. The respondent shall be entitled to withdraw the same. Parties have prayed for mutual divorce.

4. We have examined the parties. They are residing separately since 2018. During the course of interaction with the parties, we found that there is no chance of reconciliation to reside together. Considering the fact that they are not residing together since 2018, the cooling period of six months is waived off.

5. In view of the above, the agreement / application for passing the compromise decree which is appended with Counselor Report is allowed. Accordingly, we proceed to pass the following order:

6. The impugned order dated 22.08.2024 dismissing Petition No.A-1654 of 2022 filed by the petitioner is set aside. Petition No.A-1654 of 2022 is hereby partly allowed.

7. The order dated 22.08.2024 passed in Petition No.C-25 of 2018 is confirmed on terms and conditions of agreement / application attached to Counselor Report dated 12.09.2025.

8. The marriage between the parties is hereby dissolved by the decree of divorce by mutual consent under Section 13-B of the Hindu Marriage Act, 1955.

9. Accordingly, the decree be drawn on the terms mentioned in the agreement / application for passing the compromise decree.

10. Needless to mention that, the appellant shall authorize/direct his banker where his pension is being deposited in his account to disburse the amount of monthly maintenance of ₹7,000/- to respondent no.1/wife and ₹4,000/- to respondent no.2/daughter in their respective bank accounts.

11. With this, both the appeals stand disposed of. No order as to costs.

(M.W. CHANDWANI, J.)

(SMT. M.S. JAWALKAR, J.)

Wagh