IN THE HIGH COURT OF GUJARAT AT AHMEDABAD
R/FIRST APPEAL NO. 4160 of 2025

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RUSHI NILESHBHAI OZA
Versus
MEGHA HARESHBHAI MAHETA

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Appearance:
MS. SHIVANGI M RANA(7053) for the Appellant(s) No. 1
NOTICE SERVED for the Defendant(s) No. 1

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CORAM:**HONOURABLE MR. JUSTICE ILESH J. VORA**
and
HONOURABLE MR. JUSTICE R. T. VACHHANI

Date : 09/06/2026

ORAL ORDER
(PER : HONOURABLE MR. JUSTICE R. T. VACHHANI)

The proposed draft amendment tendered today i.e. dated 09/06/2026 is allowed. To be carried out accordingly.

1.1 Learned Advocate Ms.Alveera Kachara for Ms.Barkha Maheshwari appears for the respondent – wife.

2. Order dated 29/08/2025 passed in Family Suit No.175 of 2024 by the learned Principal Judge, Family Court, Junagadh rejecting the suit filed by the appellant - husband seeking declaration of the marraige as null and void is sought to be assailed in this First Appeal.

3. Heard the learned Advocates appearing for the respective parties.

4. In view of the earlier order dated 07/05/2026 passed by the co-ordinate Bench of this Court, recording that there is an amicable

settlement between the parties to dissolve the marraige, both the parties are virtually remained present before this Court, who have been identified by their respective learned Advocates. The appellant – husband is reported to be residing at Canada and respondent – wife is reported to be residing at Cyprus. Both the appellant – husband and the respondent – wife have filed their respective affidavits which are ordered to be taken on record and the contents thereof have been duly acknowledged by their respective Advocates.

5. Paragraph No.4 of the affidavit filed by the respondent – wife records the mutual understanding and settlement arrived at between the parties which is reproduced hereunder:

> "*a. That we have not resided together as husband and wife under one roof. The marriage was registered with the Registrar of Marriages, Junagadh. But no marriage rites and rituals have been performed. In view of that both appellant and I have voluntarily agreed that the marriage solemnized between us on 12.06.2022 and registered vide no. 00000002 on 13.06.2022 at Junagadh be declared null and void.*
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> *b. I have no objection if this Hon'ble Court allows the present First Appeal and passes a consent decree declaring the marriage between the parties as null and void. I state that after due deliberation and understanding, and considering our respective better future prospects and in the larger interest and welfare of both parties, I have voluntarily agreed that the marriage solemnized between the Appellant and myself may be declared as null and void by this Hon'ble Court.*
>
> *c. The settlement has been arrived at out of my free will and consent, without any force, coercion, undue influence, fraud or misrepresentation.*
>
> *d. I do not have any claim against the Appellant towards maintenance, permanent alimony, stridhan, or any other monetary*

or civil claim. I state that I shall not make any claim of whatsoever nature from the Appellant-Husband at present or at any time in future.

e. I further undertake that I shall not initiate any criminal proceedings against the civil or Appellant in future.

f. I say that I am filing this affidavit voluntarily to place my consent on record and to request this Hon'ble Court to pass appropriate orders in terms of the settlement so as to put an end to the dispute between the parties."

6. Since the parties have appeared before this Court through virtual mode, we have interacted with them and both the parties have conceded rather endorsed the contents of the affidavit filed by them respectively wherein the respondent – wife has expressly stated that she has no objection if the appeal is allowed.

7. Accordingly, the present appeal is allowed in terms of the prayer clause No.4(B) of the proposed draft amendment dated 09/06/2026. Decree to be drawn accordingly.

8. Needless to observe that considering the peculiar facts of the case, the present order is passed and this may not be treated as precedent.

(ILESH J. VORA,J)

(R. T. VACHHANI, J)

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Original copy of this order has been signed by the Hon'ble Judges.
Digitally signed by: MANISHKUMAR JYOTINDRA SOMPURA(HC00189), Principal Pvt. Secretary, at High Court of Gujarat on 09/06/2026 18:05:53