

Application No. : 6955/19
Applicant's Name : Rajesh H. More
Applied on : 12/6/19
Ready on : 15/6/19
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A 2685/15

Superintendent
Family Court
Mumbai

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DECREE

Exh. No. 28

Superintendent
Family Court
Mumbai
IN THE 7TH FAMILY COURT MUMBAI AT BANDRA
PETITION NO. A - 2685 OF 2015

Rajesh Harishchandra More,
Hindu, adult, Indian Inhabitant
Age about 43 years, Occ. Service,
R/at. Shivkalpataru Arcade, F wing, Room No. 401,
Sector 17, Kamothe, Navi Mumbai ... Petitioner No.1

AND

Deepali Rajesh More,
Hindu, adult, Indian Inhabitant
Age about 38 years, Occ. Service,
R/at :C/o. Eknath Dalvi, Room No.2,
Lakhubhaipatel chawl, Ovaripada,
Mahajan road, Dahisar, Mumbai - ... Petitioner No.2

WHEREAS the Rajesh (petitioner No.1), was married to the
Deepali (Petitioner No.2), on 24.2.2008 at Mumbai as per Hindu Vedic
Rites and customs. The maiden name of Petitioner No.1 Ms. Deepali

Eknath Dalvi.

After the marriage they lastly stayed together as husband and wife at Mumbai.

There is one issue born out from the said wedlock.

BOTH the parties are residing separately **since 22nd February, 2015** because of the temperamental differences.

The original petition was filed by the petitioner against the respondent U/sec. 13(1) (a) of the Hindu Marriage Act, 1955.

AND WHEREAS after service of notice, the respondent appeared. Both the petitioners were referred to the Marriage Counsellor. However, there were no chances of reconciliation between the petitioners. Accordingly, the Marriage Counsellor submitted his report vide Exh.19. The application is filed to convert the petition into the consent petition vide Exh. 22. They have also tendered the consent terms at Exh.20 by which they wanted to obtain the consent divorce. Therefore, this petition is treated as consent petition.

This petition came before Her Honour Smt.J.P. Darekar, Judge, Family Court No.7 Mumbai at Bandra for hearing and upon hearing the petitioner and the respondent and perusing their affidavits in lieu of oral evidence, the Court has passed the following order on 10.6.2019.

ORDER

1. The petition is allowed.
2. The marriage between the petitioner Nos.1 and 2 solemnized on 24.2.2008, is hereby dissolved by a decree of divorce by mutual consent under section 13-B of the Hindu

Marriage Act, 1955.

3. The Consent terms at Exh.20 shall form part of the decree.
4. Parties shall bear their own costs.
5. Decree be drawn up accordingly.
6. A copy of decree be supplied free of costs to the petitioners.

CONSENT TERMS AT EXH.20

Both the parties are agreed for divorce by mutual consnt, on following terms and conditions.

1. Both the parties shall withdraw all the allegations made against each other in the above said proceeding.
2. Both the parties got married on 24/02/2008 and they are staying separately from each other since 22/2/2015.
3. There is one daughter born from the said wedlock by name Harshita More, 11 years old. At present custody of the said child is with petitioner- father and custody of the said daughter shall remain with the petitioner- father in future.
4. Respondent mother shall have access to the daughter on any Sunday of a month at Ganesh Mandir, Kamothe, between 12.00 pm. To 3.00 pm. Respondent shall communicate for access to the daughter.
5. Petitioner-husband has agreed to pay total amount of Rs. 10,00,000/- (Rs. Ten Lakhs only) to the respondent-wife. Out of Rs. 10,00,000/-, Rs. 1,00,000/- shall be given after surrendering LIC policy and Rs. 9,00,000/- shall pay by way of D.D. on or before the decree.
6. Both parties undertakes that they will co-operate each other for the necessary procedure of LIC, and respondent-wife shall sign all the

necessary documents of LIC policy.

7. After receiving the amount of Rs. 10,00,000/- respondent-wife shall not claim any maintenance/permanent alimony for herself for past, present and future.

8. Petitioner-husband undertakes to return gold and silver ornaments and stridhan to the respondent-wife as per the list attached.

9. Both the parties undertakes that they shall not cancel these consent terms in future and they are abide by these consent terms as both parties have deiced theses terms by free will of them.

10. Both the parties shall not interfere in each others life after passing the decree of divorce and shall not file any civil and criminal proceeding against each other on the basis of past matrimonial events.

11. In view of said consent terms there are no dues and claims of whatsoever nature against each other in respect of movable and immovable property also in future.

BILL OF COSTS

	Petitioner No.1/Petitioner No.2
Stamp on petition	Rs. 100.00

Total	Rs. 100.00

GIVEN UNDER MY HAND AND SEAL OF THIS COURT DATED THIS 10th June, 2019

Sd/-
Assistant Sheristedar *



Sd/-
(J.P.Darekar),
Judge
Family Court No 7,
Mumbai at Bandra

Note: Parties to this litigation are hereby informed that the documents filed by them if not removed within six month are liable for destruction after appeal period is over, if any.

Typed by :
Read by : J. P. Darekar
Prepared by :

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J.P. Darekar
10/6/19
Family Court
Mumbai at Bandra