

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (C) No(s). 10350/2019

(Arising out of impugned final judgment and order dated 20-03-2019 in Family Court Appeal No. 34/2019 passed by the High Court of Judicature at Bombay)

DR. RAJESH BASUDEO KUMAR

Petitioner(s)

VERSUS

MRS. SHIMUL PRASAD

Respondent(s)

Date : 02-03-2020 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJAY KISHAN KAUL
HON'BLE MR. JUSTICE K.M. JOSEPH

For Petitioner(s) Mr. Mukul Gupta, Sr. Adv.
Mr. Anuj P. Agarwala, Adv.
Mr. Pramod B. Agarwala, AOR

For Respondent(s) Mr. Sushil Karanjkar, Adv.
Mr. K. N. Rai, AOR

UPON hearing the counsel the Court made the following
O R D E R

Learned counsel for the parties have filed a joint application for passing a decree of divorce by mutual consent on terms and conditions specified in the application which is taken on record. The application is signed by the counsels for the parties and duly supported by the affidavit of the parties. Along with the application, consent terms have been enclosed which are for grant of divorce including the aspect of permanent alimony, maintenance and the method of making payment of

the amount. The petitioner has also filed undertaking to abide by the terms and conditions thereof.

We have perused the material placed before us and are satisfied that it is a fit case to grant a decree of divorce by mutual consent on account of irretrievable break down of marriage by exercising our powers under Article 142 of the Constitution of India. We accept the terms and conditions for grant of decree of divorce and the parties shall remain bound by the same. The undertaking of the petitioner to make payment in terms thereof is accepted.

Since the payment terms are spread till 31st July, 2020, we direct the decree of divorce shall come into operation only after all the payments have been made in terms of the settlement of which the outer limit is 31st July, 2020 or any earlier date if the payments are made earlier.

The decree of divorce should be issued only after the aforesaid terms have been complied with.

Liberty to mention in case of difficulty.

The special leave petition is disposed of in terms aforesaid.

Pending application, if any, shall also stand disposed of.

(ANITA MALHOTRA)
COURT MASTER

(ANITA RANI AHUJA)
COURT MASTER