

Mital Divyesh Dave vs Divyesh Jigneshbhai Dave on 17 January, 2024

Author: Biren Vaishnav

Bench: Biren Vaishnav

NEUTRAL CI

C/FA/282/2024

ORDER DATED: 17/01/2024

undefined

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD
R/FIRST APPEAL NO. 282 of 2024

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MITAL DIVYESH DAVE
Versus
DIVYESH JIGNESHBHAI DAVE

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Appearance:

ULLASH N GOHIL(8357) for the Appellant(s) No. 1
for the Defendant(s) No. 1

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CORAM:HONOURABLE MR. JUSTICE BIREN VAISHNAV
and
HONOURABLE MS. JUSTICE NISHA M. THAKORE
Date : 17/01/2024
ORAL ORDER

(PER : HONOURABLE MR. JUSTICE BIREN VAISHNAV) It appears that the appellant and the respondent herein instituted a petition to get decree of divorce by mutual consent under Section 13 B of the Hindu Marriage Act being Family Suit No.08 of 2021 which was filed for the said purpose. By judgment and decree dated 24.08.2021 decree for separation by mutual consent was granted.

It is stated by the learned advocates for the respective parties at the bar i.e. learned advocate Mr. Ullash Gohil for the appellant and Mr. Hardik Karathiya learned advocate for the respondent (is permitted to file his appearance in the appeal too) that the parties have mutually agreed to stay together and restore their marital life and therefore, the decree of divorce by mutual consent dated 24.08.2021 be quashed and set aside. The consent affidavit of the respondent is on record of the First Appeal.

NEUTRAL CITATION C/FA/282/2024 ORDER DATED: 17/01/2024 undefined Accordingly, the mutual consent decree of divorce dated 24.08.2023 is quashed and set aside. Appeal is allowed accordingly.

(BIREN VAISHNAV, J) (NISHA M. THAKORE,J) KAUSHIK J. RATHOD