



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 23RD DAY OF AUGUST, 2024

PRESENT

THE HON'BLE MR JUSTICE SREENIVAS HARISH KUMAR

AND

THE HON'BLE MR JUSTICE UMESH M ADIGA

MISCELLANEOUS FIRST APPEAL NO. 4657 OF 2018 (FC)

C/W

MISCELLANEOUS FIRST APPEAL NO. 4658 OF 2018 (FC)

MISCELLANEOUS FIRST APPEAL NO. 4245 OF 2020(FC)

In MFA No.4657/2018

Between:

Sri. A.C.Diwakara
S/o. Late A.Channegowda
Aged 48 years
Presently Residing at
Room No.301, Guest House,
Karnataka State Agriculture and
Rural Development Bank,
Tippu Sultan Palace Road,
Bengaluru – 560018.

...Appellant

(By Sri R.A.Devanand, Advocate)

And:

Smt. M.Sowmya Kiran
D/o G.Sathyanarayana &
W/o A.C.Diwakara,
Aged 42 years
R/at No.490, 3rd Cross,
15th Main, Saraswathipuram,
Mysore- 570006.

...Respondent

(By Sri Manmohan P.N., Advocate)

Digitally signed
by VEERENDRA
KUMAR K M
Location: HIGH
COURT OF
KARNATAKA



NC: 2024:KHC:33921-DB
MFA No. 4657 of 2018
C/W MFA No. 4658 of 2018
MFA No. 4245 of 2020

This MFA filed u/s 19(1) of the Family Court Act, against the judgment and decree dated 20.03.2018, passed in M.C.No.238/2015, on the file of the I Additional Principal Judge, Family Court, Mysuru, allowing the petition filed u/sec. 9 of Hindu Marriage Act.

In MFA No. 4658/2018

Between:

Sri A.C.Diwakara
S/o Late A.Channegowda
Aged 48 years
Presently Residing at
Room No.301, Guest House,
Karnataka State Agriculture and
Rural Development Bank,
Tippu Sultan Palace Road,
Bengaluru – 560018.

...Appellant

(By Sri R.A.Dev Anand, Advocate)

And:

Smt. M.Sowmya Kiran
D/o G.Sathyanarayana &
W/o A.C.Diwakara,
Aged 41 years
R/at No.490, 3rd Cross,
15th Main, Saraswathipuram,
Mysore - 570006.

...Respondent

(By Sri Manmohan P.N., Advocate)

This MFA filed u/s 19(1) of the Family Court Act, against the judgment and decree dated 20.03.2018, passed in M.C.No.548/2013, on the file of the I Additional Principal Judge, Family Court, Mysuru, dismissing the petition filed u/sec. 13(1)(ia) & (iii) of the Hindu Marriage Act.



NC: 2024:KHC:33921-DB
MFA No. 4657 of 2018
C/W MFA No. 4658 of 2018
MFA No. 4245 of 2020

In MFA No. 4245/2020

Between:

Sri A.C.Diwakara
S/o A.Channegowda
Age 49 years
Presently Residing at
Room No.301, Guest House,
Karnataka State Agriculture and
Rural Development Bank,
Tippu Sultan Palace Road,
Bengaluru – 560018

...Appellant

(By Sri R.A.Dev Anand, Advocate)

And:

Smt. Sowmya Kiran M S
W/o Sri A.C.Diwakara,
Aged about 45 years
presently R/at No.490,
3rd Cross, 15th Main
Saraswathipuram,
Mysore- 570008.

...Respondent

(By Sri Amshith Hegde H.S., Advocate)

This MFA is filed under section 19(1) of Family Court Act, against the judgment and decree dated 21.12.2019 passed in O.S.No.27/2019 on the file of the III Additional Principal Judge, Family Court, Mysuru, partly decreeing the suit filed under Order 7 Rule 1 read with section 26 of CPC and read with section 7 of the Family Court Act.

These appeals, coming on for final hearing, this day, judgment was delivered therein as under:

CORAM: HON'BLE MR JUSTICE SREENIVAS HARISH KUMAR
and
HON'BLE MR JUSTICE UMESH M ADIGA



ORAL JUDGMENT

(PER: HON'BLE MR JUSTICE SREENIVAS HARISH KUMAR)

A comprehensive compromise petition is presented in relation to all these three appeals. The husband Sri A.C.Diwakara and the wife Smt. M.Sowmya Kiran are present before the court with their respective advocates.

2. The terms of the compromise petition are read over to the parties in Kannada language which they know. Both of them submit that they have arrived at this compromise voluntarily without any kind of force or compulsion by any body. They have decided to live together forgetting all the past bitter experiences. By virtue of the compromise, the decree of divorce dated 20.03.2018 granted in M.C.No.548/2013 and decree for restitution of conjugal rights dated 20.03.2018 granted in M.C.No.238/2015 on the file of I Additional Principal Judge, Family Court, Mysuru and the decree for maintenance dated 21.12.2019 passed in O.S.No.27/2019



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on the file of III Additional Principal Judge, Family Court, Mysuru stand annulled.

3. The terms of the compromise are lawful and the same is accepted. All the three appeals stand ***disposed of*** accordingly.

4. Pending applications, if any, stand disposed of in view of disposal of main appeals.

5. Draw decree in terms of the compromise petition in all these three appeals.

6. The trial court records be send back to the concerned court so that the parties can seek return of the documents produced by each of them.

Sd/-
(SREENIVAS HARISH KUMAR)
JUDGE

Sd/-
(UMESH M ADIGA)
JUDGE

KMV