



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 1ST DAY OF APRIL, 2026

PRESENT

THE HON'BLE MR. JUSTICE JAYANT BANERJI

AND

THE HON'BLE MR. JUSTICE RAJESH RAI K

MISCELLANEOUS FIRST APPEAL NO.7598 OF 2018 (FC)

BETWEEN:

SMT HEMA G
W/O C.DIWAKARA
D/O GANGAIAH
AGED ABOUT 33 YEARS
OCC: HOUSEWIFE
R/AT THOREHALLI GRAMA
MADEYANAHALLI POST
GUBBI TALUK, TUMKUR DISTRICT

...APPELLANT

(BY SRI CHIKKANAGOUDAR L S, ADVOCATE)

AND:

SRI C DIWAKARA
S/O LATE C.LAKKANNA
AGED ABOUT 40 YEARS
OCC: INTERIOR DECORATOR
R/AT NO.44, 6TH CROSS
DEVEGOWDA BLOCK, ADUGODI
BANGALORE-560 030

...RESPONDENT

(BY SRI NAGARAJU, ADVOCATE)

THIS MISCELLANEOUS FIRST APPEAL IS FILED UNDER SECTION 19(1) OF FAMILY COURTS ACT PRAYING TO SET ASIDE THE JUDGMENT AND DECREE DATED 14.06.2018 PASSED IN M.C.NO.2319/2013 ON THE FILE OF THE III ADDITIONAL PRINCIPAL JUDGE, FAMILY COURT, BENGALURU, ALLOWING THE PETITION UNDER SECTION 13(1)(ia) OF HINDU MARRIAGE ACT, 1955

Digitally
signed by
KAVYA G
Location:
High Court
of Karnataka



THIS MISCELLANEOUS FIRST APPEAL, COMING ON FOR HEARING, THIS DAY, JUDGMENT WAS DELIVERED THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE JAYANT BANERJI
and
HON'BLE MR. JUSTICE RAJESH RAI K

ORAL JUDGMENT

(PER: HON'BLE MR. JUSTICE JAYANT BANERJI)

The aforesaid appeal is filed by the wife seeking to set aside the judgment and decree dated 14.06.2018 passed by the III Additional Principal Judge Family Court, Bengaluru in M.C.No.2319/2013. By means of which, the petition filed by the respondent under Section 13(1)(ia) of Act¹ seeking dissolution of the marriage was allowed and the decree of divorce was granted.

2. Today, learned Counsel for the appellant and the respondent are present in Court and they have filed a memorandum of compromise petition in Court, that is supported by a verifying affidavit signed by the parties. The parties have been identified by their respective advocates. It is stated in the affidavit that due to the intervention of the elders and family friends of both the parties, after filing of the appeal,

¹ The Hindu Marriage Act, 1955



have amicably settled the matter and in fact the respondent-husband has taken back the appellant-wife and the minor child Master Vaibhav, who is now aged about 14 years, who was born from the lawful wedlock of the appellant and the respondent, to the matrimonial home and the appellant has happily joined along with her aforesaid minor son. Their matrimonial life is thus rejuvenated and they are happily living together. The parties by means of the compromise have undertaken not to repeat the past in whatever form and further sincerely and honestly undertake to lead happy matrimonial life and work for the welfare and education of the minor child Master Vaibhav.

3. The parties have stated in Court that they have entered into this compromise without any undue influence and coercion and have entered the agreement of their own free will. In view of the aforesaid, the memorandum of compromise petition is accepted. The judgment and decree dated 14.06.2018 passed by the III Additional Principal Judge, Family Court, Bengaluru in M.C.No.2319/2013 is hereby set aside.



The terms of the compromise shall form part of the decree. The appeal is accordingly disposed of.

Sd/-
(JAYANT BANERJI)
JUDGE

Sd/-
(RAJESH RAI K)
JUDGE

KSR
List No.: 1 Sl No.: 22