

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

**THE HONOURABLE MR.JUSTICE C.K.ABDUL REHIM
&
THE HONOURABLE MRS. JUSTICE MARY JOSEPH**

WEDNESDAY, THE 7TH DAY OF OCTOBER 2015/15TH ASWINA, 1937

Mat.Appeal.No. 952 of 2015 ()

**(AGAINST THE JUDGMENT IN OP(DIV).NO. 728/2012 OF FAMILY COURT,
THIRUVALLA)**

APPELLANT/PETITIONER:

**JAISON GEORGE, AGED 32 YEARS,
S/O.GEORGE SIMON, PULLAMPALLI VEEDU, ATHIKKAYAM,
NARANAMOOZHI P.O., PAZHAVANGADI VILLAGE, RANNY TALUK,
PATHANAMTHITTA DISTRICT.**

**BY ADVS.SRI.K.SHAJ
SRI.SAJJU.S**

RESPONDENT/RESPONDENT:

**AUXA THOMAS, AGED 26 YEARS,
D/O.SAMUEL THOMAS, THARAYIL PUTHEN VEEDU,
THAZHAKKARA P.O., MAVELIKKARA TALUK,
ALAPPUZHA DISTRICT. PIN-688 003**

BY ADV. SRI.SERGI JOSEPH THOMAS

**THIS MATRIMONIAL APPEAL HAVING COME UP FOR ADMISSION
ON 07-10-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

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**C.K. ABDUL REHIM, J.
&
MARY JOSEPH, J.**

Mat. Appeal No. 952 OF 2015

DATED THIS THE 7th DAY OF OCTOBER, 2015

J U D G M E N T

C.K. Abdul Rehim, J:

The above matrimonial appeal is filed against the judgment of the Family Court, Thiruvalla in OP (Div) No.728/2012, dated 31-07-2015. The appellant herein is the respondent and the respondent herein is the petitioner before the Family Court. The case before the Family Court was instituted seeking dissolution of the marriage under Section 10 (1) of the Divorce Act, 1869, on the ground of alleged cruelty from the side of the appellant herein. The court below had allowed the petition and declared the marriage as dissolved, through the judgment and decree which is impugned in this appeal.

2. Pursuant to notice issued from this court the respondent entered appearance. She had now filed an application as IA No.3539/2015, in which it is mentioned that all the disputes between the parties were settled

amicably and that the parties have decided to resume cohabitation. On the basis of the settlement arrived the respondent is seeking permission to withdraw the original petition, OP (Div) No.728/2012 filed before the Family Court. Both the parties are personally present before this court. They have conceded about the settlement and about the decision of re-union.

3. Under the above mentioned circumstances, in view of the settlement arrived between the parties, this appeal is disposed of by setting aside the judgment and decree in OP (Div) No.728/2012 of Family Court, Thiruvalla. The respondent herein is permitted to withdraw the said case which is instituted before the Family Court. Accordingly it is ordered that OP (Div) No.728/2012 on the files of Family Court, Thiruvalla will stand dismissed as withdrawn.

Sd/-

C.K. ABDUL REHIM, JUDGE.

Sd/-

MARY JOSEPH, JUDGE.

AMG

True copy

P.A. to Judge