

HON'BLE SRI JUSTICE R.SUBHASH REDDY

AND

THE HON'BLE SRI Dr. JUSTICE B. SIVA SANKARA RAO

C.M.A.M.P.No.59 of 2015 in/and C.M.A.No.2962 of 2003

COMMON ORDER : *(Per Hon'ble Sri Justice R.Subhash Reddy)*

C.M.A.No.2962 of 2003, under Section 19 of the Family Courts Act, is filed by the appellant/wife aggrieved by the order and decree dated 18.11.2002 in O.P.No.479 of 1999 passed by the Judge, Family Court, Hyderabad, whereby the petition, under Section 13 (1) (ia) of the Hindu Marriage Act, filed by the respondent/husband seeking to grant a decree of divorce, was allowed.

During the pendency of the appeal, the appellant/wife filed a petition being C.M.A.M.P.No.59 of 2015 under Order 23 Rule 3 of C.P.C., seeking to record the compromise and dispose of the appeal by granting a decree of divorce as per the terms and conditions of Joint Memorandum of Compromise, dated 28.01.2015, filed along with the petition, which was signed by both the parties along with their advocates.

When the matter is called, both the parties are present in-person before this Court. The respondent/husband submitted that out of Rs.5,00,000/-, which he has agreed to pay to the appellant/wife towards permanent alimony and also in full and final settlement of all the claims, he has already paid Rs.2,00,000/- and he will pay another Rs.2,00,000/- within two months from today and the remaining Rs.1,00,000/- at the time of marriage of their daughter. The parties

requested to dispose of the appeal in terms of the settlement arrived at and grant a decree of divorce dissolving their marriage in terms of the said joint memo of compromise.

In view of the above and having regard to the settlement arrived at between the parties, we deem it appropriate to dispose of the appeal in terms of the said joint memorandum of compromise.

In view of the settlement arrived at between the parties pursuant to the joint memo of compromise, dated 28.01.2015, C.M.A.M.P.No.59 of 2015 is allowed. Consequently, C.M.A.No.2962 of 2003 is disposed of in terms of joint memo of compromise dated 28.01.2015. Accordingly, order and decree dated 18.11.2002 in O.P.No.479 of 1999 passed by the Court below, dissolving the marriage between the appellant and the respondent, stands confirmed. The terms of joint memo of compromise dated 28.01.2015 shall form part of the decree.

As a sequel, miscellaneous petitions pending, if any, in these appeals shall stand closed. No order as to costs.

JUSTICE R. SUBHASH REDDY

Dr. JUSTICE B.SIVA SANKARA RAO

30.01.2015

v v

