

**THE HON'BLE SRI JUSTICE R. SUBHASH REDDY
AND
THE HON'BLE Dr. JUSTICE B. SIVA SANKARA RAO**

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FAMILY COURT APPEAL No.2 OF 2007
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JUDGMENT: (Per Hon'ble Sri Justice R. Subhash Reddy)

This appeal is filed aggrieved by the order, dated 31.10.2006, passed in F.C.O.P.No.349 of 2005 by the Family Court, Secunderabad, by which, the petition filed by the appellant – husband, under Section 13 (1) (ia) of the Hindu Marriage Act, 1955, seeking divorce, was dismissed.

During pendency of the appeal, appellant has filed F.C.A.MP.No.60 of 2015, under Order XXIII Rule 3 read with Section 151 C.P.C., to record compromise and to dispose of the appeal by dissolving the marriage performed between himself and the respondent in terms of the Memorandum of Compromise annexed to the Miscellaneous Petition.

We have perused the Memorandum of Compromise entered into between the parties.

When the matter is called, the parties, who are present in person and who have been identified by their respective counsel, have requested to dispose of the appeal in terms of the Memorandum of Compromise

annexed to the petition. Further, respondent has also stated that she has received Demand Draft bearing No.037604 drawn in her favour for an amount of Rs.2,00,000/-.

In view of the reasons stated in the affidavit filed in support of the petition, F.C.A.MP.No.60 of 2015 is allowed as prayed for and consequently, the appeal stands allowed dissolving the marriage performed between the appellant and the respondent subject to the terms and conditions enumerated in the Memorandum of Compromise. The Memorandum of Compromise shall form part of the decree.

Miscellaneous Petitions, if any, pending in this appeal shall stand closed. No costs.

R.SUBHASH

REDDY, J

Dr. B. SIVA SANKARA

RAO, J

February 11, 2015
MD