

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

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F.C.A.No.165 OF 2012
AND
F.C.A.MP.No.122 OF 2015

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JUDGMENT: (Per Hon'ble Sri Justice R. Subhash Reddy)

The appeal, under Section 19 of the Family Courts Act, 1984, is filed aggrieved by the order, dated 25.07.2011, passed in O.P.No.1086 of 2008 by the Additional Family Court, Hyderabad, by which, the O.P. filed by the appellant – husband, under Section 13 (1) (ia) and (ib) of the Hindu Marriage Act, 1955, seeking to grant decree of divorce by dissolving the marriage performed between himself and the respondent, was dismissed.

During pendency of the appeal, respondent - wife has filed F.C.A.MP.No.122 of 2015, under Order XXIII Rule 3 read with Section 151 C.P.C., to record the Memorandum of Compromise, annexed to the petition, and to dispose of the appeal in terms of the Memorandums of Compromise.

From a perusal of the Memorandum of Compromise, it is clear that the parties have agreed for dissolution of marriage and for grant of decree of divorce.

In view of the reasons stated in the affidavit filed in

support of F.C.A.MP.No.122 of 2015, the petition is allowed as prayed for and consequently, the appeal stands allowed dissolving the marriage performed between the appellant and the respondent. Accordingly, we order for decree of divorce. The Memorandum of Compromise shall form part of the decree. However, it is made clear that this order will not affect any other proceedings pending before any other forum or Tribunal and will not cause any prejudice to the rights of the respondent to pursue other remedies with regard to maintenance.

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

R.SUBHASH

REDDY, J

Dr. B. SIVA SANKARA

RAO, J

March 17, 2015
MD