

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

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**C.M.A.No.1355 OF 2004**  
**AND**  
**Crl.Rc.No.1910 OF 2005**

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

C.M.A.No.1355 of 2004 is filed aggrieved by the order and decree, dated 09.04.2004, passed in O.P.No.81 of 1999 by the Family Court, Warangal, by which, the petition filed by the appellant and the respondent, who are wife and husband, under Section 13B of the Hindu Marriage Act, 1955, for mutual divorce, was allowed.

The Criminal Revision Case is filed aggrieved by the order, dated 04.10.2005, passed in M.C.No.69 of 2003 by the Family Court, Warangal, by which, the petition filed by the wife and minor children, under Section 125 Cr.P.C., was allowed by granting monthly maintenance at Rs.750/- to each of the minor children and at Rs.1,000/- to the wife.

The C.M.A. is filed mainly on the ground that the consent given by the appellant – wife for divorce was obtained by threat.

When the matters came up for hearing on 29.01.2015, learned counsel for the parties represented

that during pendency of the matters, the parties have settled the dispute amicably and they are living together, and sought time to obtain instructions.

Today, when the matter is called, learned counsel for the appellant - wife submits that he has no instructions in the matter.

On the other hand, learned counsel for the respondent - husband reiterates that the dispute between the parties is settled and they are living together.

In view of the submission made by the learned counsel for respondent – husband that the parties are living together along with their children, the impugned orders, dated 09.04.2004 and 04.10.2005, passed in O.P.No.81 of 1999 and M.C.No.69 of 2003, respectively, by the Family Court, Warangal, are set aside.

Accordingly, the appeal and the revision case are allowed. Miscellaneous Petitions, if any, pending shall stand closed. No costs.

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**R. SUBHASH**

**REDDY, J**

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**Dr. B. SIVA SANKARA**

**RAO, J**

February 18, 2015  
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