

**HON'BLE SRI JUSTICE R.SUBHASH REDDY
AND
HON'BLE SRI JUSTICE A.SHANKAR NARAYANA**

F.C.A.M.P.No.258 of 2015 in/and F.C.A.No.243 of 2009

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

F.C.A.No.243 of 2009, under Section 19 of the Family Courts Act, 1984 is filed by the appellant/husband aggrieved by the order and decree dated 17.08.2009 in F.C.M.O.P.No.5 of 2009 passed by the Family Court, Srikakulam District, dismissing the petition filed by him against the respondent/wife under Section 13(1) of the Hindu Marriage Act, 1955, seeking to grant a decree of divorce on the ground of desertion.

2. During the pendency of the appeal, the appellant/husband has filed a petition being F.C.A.M.P.No.258 of 2015 under Order 23 Rule 3 and Section 151 of C.P.C., seeking to dispose of the appeal as per the terms and conditions set out in the Memorandum of Compromise dated 10.06.2015, which was signed by both the parties along with their advocates, wherein it is stated that they have settled the disputes amicably and the appellant/husband has agreed to pay a sum of Rs.5,00,000/- towards permanent alimony to the respondent/wife and towards full and final settlement of all claims arising out of their matrimonial relationship and sought for dissolution of marriage between them in terms of the Memorandum of Compromise dated 10.06.2015.

3. When the matter is called, both the parties are present before this Court along with their advocates, who identified the respective parties, and requested to dispose of the appeal in terms of the settlement arrived at between them and grant a decree of divorce dissolving the marriage between

the parties in terms of the said Memorandum of Compromise. The appellant/husband has handed over a Demand Draft bearing No.594427, dated 01.06.2015, for Rs.5,00,000/- (Rupees five lakhs only) drawn on Union Bank of India, Rajam Branch, in favour of the respondent/wife and the same is acknowledged by her.

4. In view of the settlement arrived at between the parties pursuant to the Memorandum of Compromise dated 10.06.2015, F.C.A.M.P.No.258 of 2015 is allowed. Consequently, F.C.A.No.243 of 2009 is disposed of in terms of the Memorandum of Compromise dated 10.06.2015 and the marriage between appellant and respondent stands dissolved. The terms of Memorandum of Compromise dated 10.06.2015 shall form part of decree.

5. As a sequel, miscellaneous petitions pending, if any, in this appeal shall stand closed. No order as to costs.

JUSTICE R. SUBHASH REDDY

JUSTICE A.SHANKAR NARAYANA

30.06.2015.
Msr

HON'BLE SRI JUSTICE R.SUBHASH REDDY
AND
HON'BLE SRI JUSTICE A.SHANKAR NARAYANA

F.C.A.M.P.No.258 of 2015 in/and F.C.A.No.243 of 2009

30.06.2015
Msr