

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

F.C.A.No.18 of 2014 with F.C.A.M.P.No.334 of 2015

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COMMON JUDGMENT : (Per Justice R. Subhash Reddy)

The appeal in F.C.A.No.18 of 2014 is filed under Section 19 of the Family Courts Act, by the petitioner in O.P.No.1580 of 2012 on the file of Family Court, Ranga Reddy District, aggrieved by order dated 07.11.2013, passed in the said application.

2. By the aforesaid order, the petition filed by the appellant herein under Section 13(1)(ia) and (ib) of the Hindu Marriage Act for dissolution of his marriage with the respondent on the grounds of cruelty and desertion, is dismissed.

3. In this appeal, F.C.A.M.P.No.334 of 2015 is filed under Order 23 Rule 3 of C.P.C., seeking to allow the appeal in terms of the compromise arrived at by the parties and grant decree of divorce. In the affidavit filed in support of F.C.A.M.P.No.334 of 2015, it is stated that at the intervention of elders and well-wishers, the dispute between the parties is settled and they have decided to dissolve their marriage on condition that the appellant pays an amount of Rs.9,00,000/- (Rupees Nine Lakhs) to the respondent. The agreement-cum-memorandum of understanding arrived at by the parties, is placed on

record, as per which, an amount of Rs.4,50,000/- is to be tendered by the appellant to the respondent on withdrawal of criminal case and the further sum of Rs.4,50,000/- is payable at the time of recording the compromise.

4. When the matter is called for hearing, the parties, who are present in person, are identified by their Counsel. It is stated by the respondent-wife that she has already received Rs.4,50,000/- earlier by way of Demand Draft and today, an amount of Rs.4,50,000/- is transferred by the appellant by way of RTGS, to her account.

5. In view of the reasons stated in the affidavit filed in support of F.C.A.M.P.No.334 of 2015, the said petition is allowed as prayed for. Consequently, F.C.A.No.18 of 2014 is also allowed, granting decree of divorce by mutual consent, dissolving the marriage between the appellant and respondent, subject to the terms and conditions as stated in the agreement-cum-memorandum of understanding, dated 05.12.2014. The terms of said agreement shall form part of decree. No order as to costs.

Miscellaneous applications pending, if any, shall stand closed.

R. SUBHASH REDDY, J

A. SHANKAR

NARAYANA, J

5th August 2015

ajr