

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

F.C.A.M.P.No.433 of 2015 in/and F.C.A.No.244 of 2013

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

F.C.A.No.244 of 2013, under Section 19(1) of the Family Courts Act, 1984 is filed by the appellant/husband aggrieved by the order and decree dated 20.04.2013 in O.P.No.823 of 2010 passed by the Family Court, Ranga Reddy District at L.B. Nagar, Hyderabad, dismissing the petition filed by him against the respondent/wife under Section 13(1) (ia) and (ib) of the Hindu Marriage Act, 1955, seeking to grant a decree of divorce on the ground of both cruelty and desertion.

2. During the pendency of the appeal, the appellant/husband has filed a petition being F.C.A.M.P.No.433 of 2015 under Order 23 Rule 3 of C.P.C., seeking to pass a decree of divorce by allowing the appeal as per the terms and conditions set out in the Matrimonial Settlement Deed dated 19.09.2014, which was signed by both the parties along with their advocates, wherein it is stated that they have settled the disputes amicably and the respondent/wife, who is figured as First Party in the said Settlement Deed dated 19.09.2014, has already received a sum of Rs.8,50,000/- (Rupees eight lakhs fifty thousand only) towards permanent alimony and towards full and final settlement, including the lifetime maintenance of the minor child, namely Megha, and sought for dissolution of marriage between them in terms of the Matrimonial Settlement Deed dated 19.09.2014.

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 Matrimonial Settlement Deed.

4. In view of the settlement arrived at between the parties pursuant to the Matrimonial Settlement Deed dated 19.09.2014, F.C.A.M.P.No.433 of 2015 is allowed. Consequently, F.C.A.No.244 of 2013 is allowed in terms of the Matrimonial Settlement Deed dated 19.09.2014, setting aside the impugned order dated 20.04.2013, and the marriage between appellant and respondent stands dissolved. The terms of Matrimonial Settlement Deed dated 19.09.2014 shall form part of the 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

26.08.2015.
Msr

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