

THE HON'BLE SRI JUSTICE A. RAJASHEKER REDDY

Tr.C.M.P.Nos.166 and 349 of 2015

COMMON ORDER:

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Pursuant to a settlement arrived at between the parties, the Lok Adalat, Hyderabad, passed the following award on 12.09.2015:

1. Tr.C.M.P.Nos.166 and 349 of 2015 are filed requesting to transfer D.V.C.No.54 of 2013 on the file of Additional Chief Metropolitan Magistrate, Vijayawada to X Chief Metropolitan Magistrate, Malkajgiri and transfer of O.P.No.504 of 2014 from Family Court, Vijayawada to Family Court, L.B.Nagar, Ranga Reddy District. The petitioner filed M.C.No.87 of 2013 on the file of the Family Court, Vijayawada and Criminal case for the offence u/s 498-A IPC which was registered as Cr.No.716 of 2011 of Machavaram Police station which was subsequently numbered as C.C.No.1220 of 2012 pending before II Addl. Chief Metropolitan Magistrate, Vijayawada.
2. The respondent/husband filed O.P.No.504 of 2014 for divorce on the file of the Family Court, Vijayawada. The D.V.C.No.54 of 2013 filed by the petitioner/wife was dismissed by the Family Court, Vijayawada. Husband and wife are present along with their counsel.
3. After due deliberations, both parties entered into a compromise in terms of the compromise.
4. It is reported that they have girl child aged about 6 years. Dimple Sai Sahasra paternity of the girl child is not disputed. In terms of the compromise, the petitioner in O.P.No.504 of 2014 agreed to pay a sum of Rs.17,50,000/- towards maintenance of the girl child and the wife/respondent in O.P.No.504 of 2014 agreed for the divorce on condition of payment of the amount agreed by both parties by way of demand draft.
5. It is reported on behalf of the husband/petitioner in O.P.No.504 of 2014, Rs.10,00,000/- will be paid by way of demand draft within one month from the date of this order, rest of the amount of Rs.7,50,000/- will be paid within two months from the date of receipt of this order and it was also agreed that the divorce will come into effect on payment of the amount agreed by the petitioner/husband in O.P.No.504 of 2014.
6. It was also agreed that the applicant/wife in M.C. to withdraw M.C.No.87 of 2013 and the criminal case C.C.No.1220 of 2012 pending before the II Addl. Chief Metropolitan Magistrate, Vijayawada. It was also agreed that the divorce O.P.No.504 of 2014 has to be decreed in favour of the husband/petitioner.
7. In pursuance of the above terms of compromise, it is ordered that

the husband/petitioner in O.P.No.504 of 2014 shall pay a total amount of Rs.17,50,000/-, out of which, he agreed to pay Rs.10,00,000/- within one month from the date of receipt of this order by way of demand draft to the respondent/wife and agreed to pay Rs.7,50,000/- within two months from the date of receipt of this order.

8. It is further ordered that the O.P.No.504 of 2014 is allowed by way of granting decree of divorce in favour of the petitioner in O.P.No.504 of 2014 which will come into force from the date of payment of the agreed amount.

9. The respondent/wife shall withdraw the M.C.No.87 of 2013 pending in the Family Court, Vijayawada and also C.C.No.1220 of 2012 pending before Addl. Chief Metropolitan Magistrate, Vijayawada, immediately after receipt of the amount.

10. The parties are informed that the court fee, if any, paid by any of them shall be refunded.

11. Each party to bear their own costs.

In view of the award dated 12.09.2015 passed by the Lok Adalat, Hyderabad, both the Civil Miscellaneous Appeals are disposed of, in terms of the award. Consequently, miscellaneous petitions, if any, pending in the appeals shall stand dismissed.

A. RAJASHEKER REDDY, J.

23rd November, 2015
cbs

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