

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

**CMA MP No.630 of 2015
in/and
CMA No.174 of 2010**

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ORDER: (Per Justice R. Subhash Reddy)

This appeal, under Section 28 of the Hindu Marriage Act, is filed by the petitioner in H.M.O.P.No.184 of 2005 on the file of the Principal Senior Civil Judge, Narasaraopet, aggrieved by the order and decree dated 05.03.2009.

The aforesaid petition filed by the appellant under Section 13(1) (ia) and (ib) of the Hindu Marriage Act, against the respondent, seeking dissolution of the marriage by a decree of divorce, is dismissed. As against the same, the appeal - C.M.A.No.174 of 2010 - is filed.

During pendency of the appeal, CMA MP No.630 of 2015 is filed seeking to dispose of the appeal by recording compromise arrived between the parties.

Along with CMA MP No.630 of 2015, memorandum of understanding arrived between the parties has been filed, as per which the appellant has agreed to pay Rs.10,00,000/- (Rupees Ten Lakhs only) to the respondent towards permanent alimony.

Both parties are present and their counsel identified the parties. The parties state that they have settled the dispute amicably and decided to seek dissolution of their

marriage, by grant of decree of divorce, in terms of the memorandum of understanding. The appellant has handed over to the respondent demand draft bearing No.965748 dated 23.04.2015 drawn on State Bank of India, Eluru Branch towards permanent alimony.

In view of the reasons stated in the affidavit filed in support of CMA M.P.No.630 of 2015, the said petition is allowed as prayed for. Consequently, CMA No.174 of 2010 is allowed, by dissolving the marriage between the parties and granting decree of divorce in terms of the memorandum of understanding. The memorandum of understanding shall form part of the decree. Consequently, miscellaneous petitions if any pending in the appeal stand disposed of. No order as to costs.

R. SUBHASH REDDY, J

Dr. B. SIVA SANKARA RAO, J

April 29, 2015
MRR