

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

CIVIL MISCELLANEOUS APPEAL No.989 of 2006

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

This Civil Miscellaneous Appeal is filed aggrieved by the order and decree dated 05.06.2006 in O.P.No.67 of 2002 passed by the Senior Civil Judge, Ramachandrapuram, whereby the petition filed by the appellant-wife against the respondent-husband, under Sections 9, 25 and 27 of the Hindu Marriage Act, 1955, for restitution of conjugal rights and other reliefs, was allowed to the extent of restitution of conjugal rights and dismissed regarding maintenance and refund of Rs.1,50,000/-.

When the matter is called for hearing, it is submitted by learned counsel for the appellant that during pendency of this appeal, the parties have obtained divorce by mutual consent by filing a petition under Section 13-B of the Hindu Marriage Act and, as such, the subject matter of the appeal has become infructuous.

In view of the above-mentioned submission, the Civil Miscellaneous Appeal is dismissed as infructuous. No order as to costs.

As a sequel, the miscellaneous petitions, if any pending, shall stand closed.

JUSTICE R. SUBHASH REDDY

Dr. JUSTICE B.SIVA SANKARA RAO

18.02.2015
v v