

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

**CMA MP No.631 of 2015
in/and
CMA No.760 of 2006**

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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 2003 on the file of the

I Additional Senior Civil Judge, Guntur, aggrieved by the order and decree dated 07.06.2006.

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.760 of 2006 is filed.

During pendency of the appeal, CMA MP No.631 of 2015 is filed seeking to dispose of the appeal by recording compromise arrived between the parties.

Along with CMA MP No.631 of 2015, memorandum of compromise arrived between the parties has been filed, as per which the appellant has paid a sum of Rs.10,00,000/- (Rupees Ten Lakhs only) to the respondent by way of cheque bearing No.362228 dated 02.05.2015 drawn on State Bank of India, Commercial Branch, Kannavarithota, Guntur. Further, the appellant

has undertaken to deposit an amount of Rs.10,00,000/- (Rupees Ten Lakhs only) in the name of the minor son by name Lokesh Sri Brahma in a nationalised bank within one year from 02.05.2015, and respondent will be allowed to draw interest therefrom till the minor son attains majority. Further, the appellant has undertaken to transfer house-site admeasuring 194 1/3 sq. yards bearing D.No.397 of Gorantla village, Guntur Municipal Corporation, Guntur, and, further to construct a building thereon with his own funds to the benefit of the minor son.

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 compromise.

In view of the reasons stated in the affidavit filed in support of CMA M.P.No.631 of 2015, the said petition is allowed as prayed for. Consequently, CMA No.760 of 2006 is allowed, by dissolving the marriage between the parties and granting decree of divorce in terms of the memorandum of compromise. The memorandum of compromise 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

April 29, 2015
MRR

Dr. B. SIVA SANKARA RAO, J