

HON'BLE SRI JUSTICE R.SUBHASH REDDY

AND

HON'BLE SRI JUSTICE A.SHANKAR NARAYANA

F.C.A.M.P.No.249 of 2015 in/and F.C.A.No.6 of 2011

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

F.C.A.No.6 of 2011, under Section 19 of the Family Courts Act, 1984 is filed by the appellant/husband aggrieved by the order and decree dated 26.06.2010 in O.P.No.817 of 2008 passed by the Family Court, Ranga Reddy District at L.B.Nagar, 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 by dissolving the marriage between him and respondent/wife performed on 2.9.2004 on the ground of cruelty.

2. During the pendency of the appeal, the appellant/husband has filed a petition being F.C.A.M.P.No.249 of 2015 under Order 23 Rule 3 of C.P.C., seeking to pass a decree of divorce by mutual consent as per the terms and conditions of Joint Memorandum of Understanding and compromise dated 03.06.2015, which was signed by both the parties along with their advocates, wherein it is stated that at the intervention of elders, they have settled the disputes between them and the appellant/husband has already paid Rs.10,00,000/- by way of Demand Draft Nos.098905 and 098906, both dated 18.5.2005, for Rs.5,00,000/- each, as an advance towards permanent alimony to the respondent/wife and Rs.2,50,000/- by way of Demand Draft No.098907, dated 18.5.2015, to the minor daughter as an advance towards her maintenance and agreed to pay the balance amount at the time of granting decree of divorce by way of Demand Draft No.315626, dated 1.6.2015 for Rs.5,00,000/- to the

respondent/wife and Demand Draft No.315627, dated 1.6.2015 for Rs.7,50,000/- to the minor child, towards permanent alimony and also towards full and final settlement of all the claims made by her and decided to seek dissolution of marriage between them in terms of the joint compromise memo dated 03.06.2015.

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 joint compromise memo. The appellant/husband has handed over Demand Draft No.315626, dated 1.6.2015 for Rs.5,00,000/- and Demand Draft No.315627, dated 1.6.2015 for Rs.7,50,000/- and the same are acknowledged by the respondent/wife.

4. In view of the settlement arrived at between the parties pursuant to the joint compromise memo dated 03.06.2015, F.C.A.M.P.No.249 of 2015 is allowed. Consequently, F.C.A.No.6 of 2011 is disposed of in terms of the joint compromise memo dated 03.06.2015 and the marriage between appellant and respondent stands dissolved. The terms of joint compromise memo dated 03.06.2015 shall form part of 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

05.06.2015.

Msr

HON'BLE SRI JUSTICE R.SUBHASH REDDY

AND

HON'BLE SRI JUSTICE A.SHANKAR NARAYANA

F.C.A.M.P.No.249 of 2015 in/and F.C.A.No.6 of 2011

05.06.2015

Msr