

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

FCA MP No.77 of 2015
and
FCA No.336 of 2013

-
COMMON JUDGMENT: (Per Justice R. Subhash Reddy)

FCA MP No.77 of 2015 is filed under Order XXIII Rule 3 read with Section 151 CPC to record compromise in FCA No.336 of 2013 as per the terms annexed thereto.

Appellant in FCA No.336 of 2013 is the wife and the respondent therein is her husband. The respondent herein filed O.P.No.52 of 2007 under Section 13(1) (ia) of the Hindu Marriage Act, 1955 read with Section 7 of the Family Courts Act on the file of the Family Court-cum-III Additional District Judge, Warangal, for dissolution of marriage between him and the appellant which was performed on 13.02.2005. The said O.P. was allowed by judgment and decree dated 12.10.2012. As against the same, FCA No.336 of 2013 is filed by the wife.

During pendency of the appeal, FCA MP No.77 of 2015 is filed stating that at the intervention of elders they have come to an amicable settlement and the marriage be dissolved in terms of the memo of compromise which is annexed thereto.

When the matter is taken up today, both the parties are present and they are identified by their respective

counsel and they state that they have settled the dispute amicably and decided to obtain decree of divorce by dissolving the marriage which had taken place between them on 13.02.2005, in terms of the memo of compromise. The appellant stated that she received Rs.7,00,000/- by way of demand draft No.229021, dated 05.12.2014 towards permanent alimony for herself and minor daughter Yahvi and also copy of the registered gift deed in respect of open plot from the respondent.

In view of the above and having regard to the settlement arrived at between the parties, we deem it appropriate to dispose of the appeal in terms of the memorandum of compromise.

Accordingly, FCA MP No.77 of 2015 is allowed. Consequently, FCA No.336 of 2013 is disposed of in terms of the memo of compromise which 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

February 19, 2015

kvrn

-
-
-
-
-
-

DATE: 19.02.2015

kvrn