

HON'BLE SRI JUSTICE R.SUBHASH REDDY

AND

THE HON'BLE SRI JUSTICE A.SHANKAR NARAYANA

**F.C.A.M.P.No.444 of 2015 in/and F.C.A.No.221 of 2013 & Cross
Objections (SR) No.24729 of 2013**

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

F.C.A.No.221 of 2013, under Section 19 of the Family Courts Act, is filed against the order and decree dated 15.04.2013 in O.P.No.1204 of 2008 passed by the Judge, Additional Family Court at Hyderabad.

The aforesaid O.P was filed by the appellant-husband against the respondent-wife, under Section 12 (1) (a) of Hindu Marriage Act, for annulment of their marriage performed on 21.11.2007. The Family Court, by order dated 15.04.2013, while dismissing the O.P., partly allowed the counter claim made by the respondent by dissolving the marriage and directed the petitioner to pay permanent alimony of Rs.8.00 lakhs to the respondent within a period of two months from the date of the order. As against the same, the appellant-husband filed the present FCA in the year 2013 and since then it is pending.

During pendency of the appeal, the appellant-husband has filed a petition being F.C.A.M.P.No.444 of 2015, under Order XXIII Rule 3 of C.P.C., seeking to record the compromise and dispose of the appeal in terms of the settlement arrived at between the parties. In the

affidavit filed in support of the petition, it is stated that at the

intervention of relatives and well-wishers, the disputes between the parties are settled out of court and they have reduced into writing the terms of settlement by way of Memorandum of Compromise dated 22.08.2015, which is signed by the parties along with their Advocates. A copy of such Memorandum of Compromise is annexed to the petition.

On a perusal of the said Memorandum of Compromise, it is clear that the parties have agreed for confirmation of the order passed by the lower Court and the respondent-wife also received balance amount of Rs.4,00,000/-.

When the matter is called, both the parties, who are present in-person and identified by their respective counsel, have requested to dispose of the appeal in terms of the compromise.

Having regard to the reasons stated in the affidavit filed in support of the petition and also in view of the settlement arrived at between the parties pursuant to the terms and conditions of Memorandum of Compromise, F.C.A.M.P.No.444 of 2015 is allowed as prayed for. Consequently, F.C.A.No.221 of 2013 is disposed of in terms of the Memorandum of Compromise dated 22.08.2015, and the Cross Objections (SR) No.24729 of 2013 stand dismissed. The terms of compromise shall form part of the decree.

As a sequel, pending miscellaneous petitions, if any, shall stand closed. No order as to costs.

JUSTICE R. SUBHASH REDDY

JUSTICE A.SHANKAR NARAYANA

07.10.2015

v v