

THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

AND

THE HON'BLE SRI JUSTICE M.S.K.JAISWAL

F.C.A.No. 43 OF 2011

DATED 01ST DECEMBER, 2016

Between:

Rajiv Sawhany

... Appellant

AND

Divya Sawhany

... Respondent

Counsel for the appellant : Sri A.Ravi Shankar

Counsel for the respondent : Sri Mohd. Moinuddin



THE COURT MADE THE FOLLOWING

JUDGMENT: (*per Hon'ble Sri Justice C.V.Nagarjuna Reddy*)

This Family Court Appeal arises out of order and decree dated 10-01-2011 in O.P.No. 275 of 2008 on the file of the learned Judge, Family Court, Secunderabad, whereby she has partly decreed the said O.P. by granting dissolution of marriage between the appellant and the respondent besides payment of Rs.40,00,000/- towards permanent alimony by the appellant and with the further direction that till the said amount is paid, he shall continue to pay @ Rs.40,000/- per month towards monthly maintenance.

2. Sri A.Ravi Shankar, learned counsel for the appellant addressed a letter to the Registrar (Judicial), wherein it is stated that the sole appellant has died on 23-09-2016 and hence, the cause of action in the appeal does not survive for adjudication. Along with the memo, learned counsel has filed death certificate issued by Secunderabad Cantonment Board, wherein it is stated that the appellant has died on 23-09-2016.

3. In the light of the above facts, the appeal is dismissed as abated.

4. As a sequel to dismissal of the appeal, F.C.A.M.P.Nos. 72 of 2011, 230 of 2012 and 450 of 2015 shall stand dismissed as infructuous.

C.V.NAGARJUNA REDDY, J.

Date: 01-12-2016.

JSK

M.S.K.JAISWAL, J.