

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

AND

THE HON'BLE SRI JUSTICE M.S.K.JAI SWAL

F.C.A.M.P.No.340 of 2016

in/ and

FAMILY COURT APPEAL No.234 of 2013

10.11.2016

Between:

Smt.P.Vasanth Reddy @ Laxmi

..Appellant in F.C.A.No.234 of 2013
/respondent in F.C.A.M.P.No.340 of 2016

And

R.Janardhan Reddy

..Respondent in F.C.A.No.234 of 2013
/applicant in F.C.A.M.P.No.340 of 2016

Counsel for the appellant/respondent: Mr.Thakur Singh

Counsel for the respondent/applicant: Mr.Jakkamsetti Ravindra

The Court made the following:



JUDGMENT: (Per the Hon'ble Sri Justice C.V.Nagarjuna Reddy)

In F.C.A.No.234 of 2013, the order and decree, dated 12.03.2013, in O.P.No.340 of 2011 on the file of the learned Judge, Additional Family Court, Hyderabad, are questioned by the petitioner therein, whereby the learned Additional Family Judge has dismissed the said O.P. filed by the petitioner therein seeking decree for dissolution of marriage.

2. F.C.A.M.P.No.340 of 2016 is filed by the respondent in F.C.A.No.234 of 2013, for passing decree of dissolution of marriage between the parties in terms of the memorandum of understanding, dated 12.08.2015, entered between them.

3. At the hearing, both the appellant and the respondent are personally present and they have reaffirmed the terms of the aforementioned memorandum of understanding filed along with F.C.A.M.P.No.340 of 2016. Both the parties have expressed their willingness for dissolution of their marriage.

4. In the light of the above facts and in the interests of justice, we feel it appropriate to treat O.P.No.340 of 2011 filed by the appellant under Section 13(1)(ia) and (ib) of the Hindu Marriage Act, 1955 (for short 'the Act') as the one filed under Section 13B of the Act and allow the said O.P. granting decree for dissolution of marriage, by mutual consent.

5. Accordingly, the order under appeal, dated 12.03.2013, in O.P.No.340 of 2011 is set aside and O.P.No.340 of 2011 is decreed subject to the terms of the memorandum of understanding, dated 12.08.2015. F.C.A.M.P.No.340 of 2016 and F.C.A.No.234 of 2013 are, accordingly, allowed.

6. As a sequel to allowing the F.C.A., F.C.A.M.P.No.425 of 2013 filed by the appellant for interim relief shall stand disposed of.

C.V.NAGARJUNA REDDY, J

M.S.K.JAI SWAL, J

10th November, 2016
GHN

