

THE HON'BLE SRI JUSTICE G.CHANDRAIAH
AND
THE HON'BLE SRI JUSTICE U.DURGA PRASAD RAO

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F.C.A.NOS.31 OF 2008 AND 276 OF 2011

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COMMON ORDER (Per the Hon'ble Sri Justice U.Durga Prasad Rao)

The appellant in FCA.No.31 of 2008 - Ms. Chadalavada Malini along with her two sons namely Master Advith and Master Anivith, and her counsel Sri C.Raghu is present. The respondent Chadalavada Srinivasa Rao and his counsel V.Hari Haran are present.

2. The appellant filed F.C.A.No.31 of 2008 aggrieved by the order dated 19.12.2007 in F.C.O.P.No.986 of 2005 passed by learned Judge Family Court, Hyderabad, allowing the petition filed under Section 13(1)(ia) and (ib) of Hindu Marriage Act, 1955, by the respondent. The appellant filed another appeal in FCA.No.276 of 2011 aggrieved by the order dated 22.11.2010 in FCOP.No.205/2008 passed by the learned Judge, Family Court, Hyderabad, partly allowing the petition filed by the appellant herein and her two sons under Section 18 of Hindu Adoptions and Maintenance Act, 1956 against the respondent for seeking maintenance.

3. When the two appeals are coming up for hearing, both parties filed compromise petition in FCA.MP.No.610 of 2015 in FCA.No.31 of 2008, as per which both of them amicably settled their disputes and entered into compromise to the effect that the respondent agreed to pay Rs.12,00,000/- (Rupees twelve lakhs only) to the appellant and her two sons and in fact he paid the said amount by way of demand draft bearing No.285427 dated 02.01.2016 drawn on State Bank of India, Pantakaluva Road Branch, Vijayawada, payable at Hyderabad in favour of the appellant, in full discharge of past and future maintenance of the appellant and her two sons.

4. Both parties agreed that hereafter, there will not be any claims between them arising out of the marriage. It is agreed that the appellant will be in care and custody of her two sons. It is further agreed that in view of the compromise between parties, the two appeals i.e., F.C.A.Nos.31 of 2008 and 276 of 2011 be dismissed as compromised.

5. Today, the terms of the compromise are read over and explained and both parties and their respective counsel admitted the same.

7. In view of it, the compromise is recorded as per the terms mentioned in compromise petition FCA.MP.No.610/2015 in FCA.No.31 of 2008 and the said petition is ordered.

8. Accordingly, the two appeals in FCA.Nos.31 of 2008 and 276 of 2011 are dismissed. No costs.

9. Miscellaneous petitions pending if any, shall stand closed.

G.CHANDRAIAH,J

U.DURGA PRASAD RAO,J

DATE:20—01—2016

AVS