

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA
PRADESH

THURSDAY, THE TWENTY FIRST DAY OF APRIL
TWO THOUSAND AND SIXTEEN
(21.04.2016)

PRESENT
**THE HON'BLE SRI JUSTICE C.V.NAGARJUNA
REDDY**
&
THE HON'BLE SRI JUSTICE M.S.K.JAISWAL

FCA MP Nos.180 & 181 of 2016 in FCA No.412/2013
&
FCA No.412 of 2013

Between:

G.Shashikanth

..... PETITIONER

AND

Smt.G.Swarnalatha

.....RESPONDENT

Counsel for the Petitioner : **Mr.VEDULA SRINIVAS**

Counsel for Respondent : **Mr.M.A.K.MUKHEED**

The Court made the following:

THE HON'BLE SRI JUSTICE C.V.NAGARJUNA

**REDDY
&
THE HON'BLE SRI JUSTICE M.S.K.JAISWAL**

**FCA MP Nos.180 & 181 of 2016 in FCA No.412/2013
&
FCA No.412 of 2013**

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

The respondent in OP No.1252 of 2010 filed the above mention FCA against the decree for dissolution of marriage, granted in favour of his wife, who is the respondent herein, by the Judge, Additional Family Court, Hyderabad, vide order dated 15.10.2013.

FCA MP No.180 of 2016 is filed by both the parties for passing a decree in terms of memorandum of compromise, dated 28.03.2016. FCA MP No.181 of 2016 is filed by both the parties to amend the prayer in O.P.No.1252 of 2013 for grant of divorce by mutual consent under Section 13-B(ii) of the Hindu Marriage Act, 1955.

At the hearing, both the appellant and the respondent are personally present. They have submitted that they have entered into a memorandum of compromise out of their free will and consent, and that the decree for divorce granted by the lower court may be modified as the one by mutual consent under Section 13-B(ii) of the Hindu Marriage Act, subject to the terms of the memorandum of compromise, dated 28.03.2016.

In the light of the above facts, FCA MP Nos.180 & 181 of 2016 are allowed. Consequently, FCA No.412 of 2013 is allowed and the decree of divorce passed in OP.No.1252 of 2013 is

modified as the one by mutual consent under Section 13-B(ii) of the Hindu Marriage Act, by waiving the statutory period of six months, subject to the terms of memorandum of compromise, dated 28.03.2016, which shall form part of the decree.

C.V.NAGARJUNA REDDY,J

M.S.K.JAISWAL,J

Date: 21.04.2016

Dsr