

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.363 of 2016
in/ and
FAMILY COURT APPEAL No.273 of 2009

03.11.2016

Between:

K.Venkata Naga Raja Sekhar

..Appellant

And

K.Satyavani

..Respondent

Counsel for the appellant: Mr.M.Rajender Reddy

Counsel for the respondent: Mr.P.R.Balarami Reddy

The Court made the following:



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

F.C.A.No.273 of 2009 is filed against order and decree, dated 09.04.2009, in F.C.O.P.No.46 of 2008 on the file of the Judge, Family Court-cum-Additional District Judge's Court, Khammam, whereby the Court below has dismissed the said F.C.O.P. filed by the applicant/appellant for dissolution of marriage under Section 13 (1)(b) of the Hindu Marriage Act, 1955 (for short 'the Act').

2. The applicant/appellant has filed F.C.A.M.P.No.363 of 2016 for dissolution of marriage between himself and the respondent by recording compromise. In the affidavit filed in support of this application, it is, *inter alia*, stated that during the pendency of the present appeal, himself and the respondent have come to an understanding to dissolve their marriage and that accordingly, a memorandum of understanding/compromise has been entered into on 02.06.2016, containing five terms and conditions.

3. At the hearing, both the parties are personally present and they have affirmed the memorandum of compromise. They have expressed their wish to part ways with each other and they have requested the Court to dissolve their marriage by mutual consent.

4. Though F.C.O.P.No.46 of 2008 was filed under Section 13(1)(b) of the Act, having regard to the understanding reached between the parties, we feel that interests of justice warrant the said F.C.O.P. to be treated as the one filed under Section 13-B of the Act.

5. Accordingly, the marriage between the applicant/appellant and the respondent is dissolved by mutual consent subject to the terms and conditions contained in the memorandum of understanding/compromise,

dated 02.06.2016. F.C.A.M.P.No.363 of 2016 and F.C.A.No.273 of 2009
are, accordingly, disposed of.

C.V.NAGARJUNA REDDY, J

M.S.K.JAI SWAL, J

03rd November, 2016
GHN

