

HON'BLE SRI JUSTICE V.R. SUBRAMANIAN
AND
HON'BLE SRI JUSTICE A. SHANKAR
NARAYANA

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C.M.A. M.P. No.890 OF 2016

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IN / AND

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C.M.A. No.1121 OF 2014

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COMMON JUDGMENT: (Per Hon'ble Sri Justice A. Shankar
Narayana)

C.M.A. M.P. No.890 of 2016 is filed seeking to record the Joint Memorandum of Compromise and consequently to allow the main appeal i.e., C.M.A. No.1121 of 2014 which is preferred against the order and decree of divorce, dated 21.11.2014, passed by the learned Additional Senior Civil Judge, Narasaraopet, Guntur District, Andhra Pradesh, in H.M.O.P. No.12 of 2013.

The respondent - husband filed H.M.O.P. No.12 of 2013 seeking the relief of dissolution of marriage with the appellant - wife that was solemnized on 04.06.1998 and the learned Family Judge has granted decree of divorce dissolving the marital tie between

them by the order under challenge. Aggrieved by the same, the wife has preferred the present appeal seeking to set aside the decree of divorce.

During the pendency of proceedings, the wife and the husband have come up with the application in CMA MP No.890 of 2016 under Order - XXIII Rule 3 read with Section 151 of the Code of Civil Procedure, 1908, by filing separate affidavits praying to record compromise in terms of the Joint Memorandum of Compromise, which is filed along with the application, and consequently to allow the instant appeal.

Both the parties are present and they are identified by their respective counsel.

When we enquired with the parties, they affirmed the contents mentioned in the Joint Memorandum of Compromise stating that subsequent to passing of decree of divorce, they have resolved their differences and living together along with their child since December, 2015.

Hence, C.M.A. M.P. No.890 of 2016 is allowed and the compromise between the parties as mentioned in the Joint Memorandum of Compromise is recorded.

As a sequel thereto, the Civil Miscellaneous Appeal is allowed setting aside the order and decree of divorce, dated 21.11.2014, passed by the learned Family Judge in H.M.O.P. No.12 of 2013. The Joint Memorandum of Compromise, referred to above, shall form part of the decree.

Miscellaneous Applications, if any, pending in the appeal stand closed.

V.
RAMASUBRAMANIAN, J

A. SHANKAR NARAYANA, J

June 16, 2015.
PV