

**HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY
AND**

HON'BLE SRI JUSTICE M.S.K.JAISWAL

FCAMP No. 209 of 2016

In/and

F.C.A No. 88 of 2016

Date: 28.04.2016

Between:

Myakam Lakshmi,
W/o. Myakam Ganesh,
Hyderabad.

....Applicant/
Appellant

-

And:

Myakam Ganesh,
S/o. M. Laxmaiah,
Ibrahimpattam,
Ranga Reddy District.

.....Respondent

Counsel for the Appellant: Mr. Vanam Vishwanatham

Counsel for Respondent: ..

The Court made the following:

COMMON ORDER: *(Per the Hon'ble Sri Justice C.V.Nagarjuna Reddy)*

The applicant/appellant has filed the appeal against order dt. 01.05.2015, in O.P.No.1423 of 2014 on the file of the Judge, Family Court, Ranga Reddy District, at L.B. Nagar, Hyderabad, whereby he has dismissed the O.P filed under Section 13(B) of the Hindu Marriage Act, 1955 (for short 'the Act'), on the ground that the parties were seeking adjournments from time to time and that they were not very sure as to whether they are interested in separation.

The appellant has filed FCAMP (SR) No. 14565 of 2016 for grant of divorce by mutual consent.

Today, at the hearing, both the appellant and the respondent are personally present and both of them have submitted that they do not intend to live together. They have requested for divorce by mutual consent.

In the affidavit filed by the appellant, it is clearly stated that at the intervention of the elders, Memorandum of Understanding dated 11.09.2015 was entered into between the parties, as per which, the respondent agreed to pay Rs.1,07,000/- to the appellant towards permanent alimony and that accordingly, the said amount was paid besides one tula gold having been given to her. She has further undertaken that she will not claim any further maintenance and that she will withdraw the DVC and the complaint filed under Section 498-A I.P.C.

In the light of the above facts, FCAMP (SR).No. 14565 of 2016 and F.C.A (SR) No.14563 of 2016 are allowed and the order under appeal is set aside. O.P.No.1423 of 2014 is accordingly allowed.

C.V.NAGARJUNA REDDY, J

M.S.K.JAISWAL, J

Date: 28.04.2016

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