

*THE HON'BLE SRI JUSTICE SANJAY KUMAR
AND
THE HON'BLE SRI JUSTICE M. SEETHARAMA MURTI*

F.C.A.No.109 of 2007

JUDGMENT: (per Hon'ble Sri Justice Sanjay Kumar)

By order dated 28.06.2005, the Family Court, Hyderabad, decreed O.P.No.847 of 2000 filed by the respondent/husband and held him entitled to a divorce, as prayed for by him. Aggrieved thereby, the wife filed the present appeal.

No interim order was passed during the pendency of this appeal till date. While so, Smt. G. Lakshmi, learned counsel for the appellant/wife, addressed letter dated 24.08.2016 to the registry stating that her client married one Pankaj Raj on 13.12.2014 and that she is no longer desirous of pursuing the present appeal. Learned counsel therefore stated that she had been instructed to withdraw the appeal in the interest of justice.

The second husband, Pankaj Raj, filed F.C.A.M.P.No.584 of 2015 seeking impleadment in the present appeal. Sri A.K. Narasimha Rao, learned counsel representing him, would contend that his client filed F.C.O.P.No.475 of 2015 before the Family Court, Hyderabad, for annulment of his marriage with the appellant/wife and that he may be heard in the matter.

However, this Court is of the opinion that in the appeal arising out of the O.P. relating to the appellant/wife and the respondent/first husband, the second husband has no role to play. He is neither a necessary nor a proper party to these appeal proceedings.

F.C.A.M.P.No.584 of 2015 is accordingly dismissed. It is left open to the second husband to work out his remedies before the appropriate forum in accordance with law.

In the light of the letter dated 24.08.2016 addressed by the learned counsel for the appellant/wife, the appeal is dismissed as withdrawn.

Pending miscellaneous petitions, if any, shall also stand dismissed.
No order as to costs.

SANJAY KUMAR, J

M. SEETHARAMA MURTI, J

Date:02.09.2016
GJ/PGS