

**The Hon'ble Sri Justice C.V.Nagarjuna Reddy**

**and**

**The Hon'ble Sri Justice A.Shankar Narayana**

**Civil Miscellaneous Appeal No.4418 of 2004**

**Date: 20.09.2016**

**Between:**

Geddam Vijaya Kumari

**... Appellant**

**and**

Geddam Paul David Raju

**...Respondent**

**Counsel for the Appellant:** Ms.G.Sindhu  
for Mr.K.Chidambaram

**Counsel for the respondent:** Mr.M.Solomon Raju  
for Mr.S.Surendra Kumar

**The Court made the following:**



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

This Civil Miscellaneous Appeal (CMA) is filed against Order and Decree, dated 25-03-2004, in OP.No.469 of 2002, whereby the learned Principal District Judge, West Godavari District at Eluru, dissolved the marriage between the appellant and the respondent.

At the hearing, Mr.M.Solomon Raju, learned Counsel representing Mr.S.Surendra Kumar, learned Counsel for the respondent, submitted that since there is no interim order granted in this CMA, the respondent has contracted a second marriage.

A perusal of the proceeding sheet shows that no interim order has been granted pending the CMA. Thus, the decree for divorce is subsisting for the last 12 years. Added to this, the respondent is stated to have contracted a second marriage. In the light of these facts, we are of the opinion that the cause in the CMA does not survive at this length of time.

The CMA is, accordingly, dismissed

As a sequel to dismissal of the CMA, CMAMP.No.15726 of 2004, filed by the appellant for interim relief, is disposed of as infructuous.

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(C.V.Nagarjuna Reddy, J)

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(A.Shankar Narayana, J)

Dt: 20<sup>th</sup> September, 2016  
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