
DATE: 29.04.2016

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JUDGMENT:- (per Hon'ble Sri Justice A. Shankar Narayana)

The husband and the wife, who are the appellant and the respondent in the instant appeal and their learned counsel respectively are present.

They filed a petition under Order XXIII Rule-3 C.P.C. requesting to record compromise for granting divorce by way of dissolution of marriage solemnized between them, in terms of the Settlement Deed dated 16.03.2016 entered into between both of them. The husband, having filed O.P.No. 74 of 2008 on the file of the Senior Civil Judge, Nizamabad seeking divorce was not successful as his application for grant of divorce under Section 13(1)(ia) of Hindu Marriage Act was dismissed by order dated 20.07.2011. Being aggrieved by the same, he preferred the instant C.M.A. During pendency of the proceedings, the parties entered into compromise and as per the terms of the compromise, the respondent agreed to receive Rs.4,10,000/- and has already received Rs.2,00,000/- as admitted by her. The balance of Rs.2,10,000/- towards permanent alimony is paid in cash by the appellant and the respondent has received the same.

Hence, C.M.A. is allowed in terms of the compromise entered into between the parties

dissolving the marriage between the petitioner and the respondent by granting decree of divorce. The Settlement Deed dated 20.07.2011 shall form part of the record. No order as to costs.

As a sequel to the allowing of the Appeal, Miscellaneous Petitions, if any pending, shall stand disposed of as infructuous.

G. CHANDRAIAH, J

29.04.2016

**A. SHANKAR
NARAYANA,J**

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