

HON' BLE SRI JUSTICE SURESH KUMAR KAIT
&
HON' BLE SRI JUSTICE A. SHANKAR NARAYANA

F.C.A.No. 116 of 2007

JUDGMENT:- (ORAL)

Per Hon'ble Sri Justice Suresh Kumar Kait)

This appeal is filed challenging the order dated 23.06.2007 in F.C.O.P.No. 858 of 2005 passed by the Judge, Family Court, Hyderabad whereby the marriage between the appellant and the respondent was dissolved by granting decree of divorce in favour of the respondent-husband.

During pendency of the present appeal, the appellant-wife and the respondent-husband have settled all disputes. To that effect both the parties have filed a Joint Compromise Memo dated 07.08.2017, whereby the respondent-husband has paid an amount of Rs.23,00,000/- to the appellant by way of three Demand Drafts i.e. D.D.Nos.900932 & 900933 dated 01.08.2017 for Rs.8.00 lakhs (Rupees Eight Lakhs Only) each respectively and D.D.No.900934, dated 01.08.2017 for Rs.7.00 lakhs (Rupees Seven Lakhs Only) drawn on Andhra Bank, Narasapur Branch, West Godavari District in favour of the appellant-wife.

Today, all the three demand drafts are received by the appellant-wife from the respondent-husband who are personally present before this Court with their respective learned counsel Sri Narasimha Rao Gudiseva for the appellant

and Sri T.P.Acharya for the respondent. For the purpose of identification of the appellant-wife, she has produced her original Aadhar Card bearing No. 7071 9571 7602 issued by the Government of India and the same is verified and returned to her and a photocopy thereof is placed on record.

On instructions, the learned counsel for the appellant has submitted that the appellant and the respondent have settled all the disputes regarding dowry, permanent alimony, etc. He further submits that no claim whatsoever is remained against the respondent and the appellant does not dispute the divorce granted by the learned trial Court. However, the learned counsel for the appellant submits that the allegations made in the divorce petition i.e. F.C.O.P. No. 858 of 2005 whereby decree of divorce has been granted by the trial Court, are to be expunged by this Court.

It is pertinent to mention here that the allegations made by the parties during the legal fight, have been withdrawn mutually. Keeping in view the Joint Compromise Memo dated 07.08.2017 filed by the appellant and the respondent towards settlement of all disputes between them, we are of the considered opinion that the decree passed in F.C.O.P.No. 858 of 2005 shall be considered as dissolution of the marriage between the appellant and the respondent on mutual consent.

With the above observations, the appeal is disposed of.

No order as to costs.

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

07.08.2017

SURESH KUMAR KAIT, J

bcj

A.SHANKAR NARAYANA, J

