

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

and

The Hon'ble Smt. Justice T.Rajani

FCAMP.No.158 of 2017 in/ &
Family Court Appeal No.241 of 2010

Date: 16.03.2017

Between:

Smt.Dukkipati Neelima

... Appellant

and

Dukkipati Ravan Kumar and another

...Respondents

Counsel for the Appellant: Mr.E.Sambasiva Pratap

Counsel for the respondent: Mr.B.Devanand

The Court made the following:



Common Order: (Per the Hon'ble Sri Justice C.V.Nagarjuna Reddy)

Family Court Appeal No.241 of 2010 arises out of Order and Decree, dated 02-09-2010, in OP.No.92 of 2009 on the file of the Judge, Family Court –cum- Additional District Judge, East Godavari District at Rajahmundry, whereby he has decreed the said OP filed by respondent No.1 for dissolution of his marriage with the appellant.

During the hearing, on the initiative taken by this Court, both the parties have arrived at a settlement. In pursuance of the said settlement, the appellant has filed FCAMP.No.158 of 2017 for permitting herself and respondent No.1 to settle the dispute and confirm the decree for dissolution of marriage subject to the terms of Memorandum of Compromise, dated 15-03-2017, filed by them jointly. Both parties have filed separate affidavits swearing to the said Memorandum of Compromise, the relevant terms of which read as under:

“2. The Respondent agreed to pay an amount of Rs.35,00,000/- (Rupees Thirty five Lakhs only) to the Appellant towards permanent settlement in two equal installments within four months, the first installment of Rs.17,50,000/- shall be paid on or before 15-7-2017 and the above amounts should be paid by Demand Draft or pay order and in view of the same the second party forgoes their right to claim any

future maintenance from the respondent. It is agreed by the appellant that an amount of Rs.5,00,000/- (Five Lakhs) each shall be kept in fixed deposit in any nationalized bank in the name of daughter Akhila and son Hemanth.

3. The Appellant should withdrawn the criminal cases filed by her C.C.No.715/2013 under section 498-A of I P C on the file VI I Additional Judicial First Class Magistrate, Rajahmundry, East Godavari District against and C.C.No.677/2013 under section 494 I P C, 34 I P C, 156(3) C R P C for bigamy and Crime No.140/2014 on the file of VI I Additional Judicial First Class Magistrate, Rajahmundry, under Sec.454,447 and 448 of IPC and she also should withdraw the E.P.No.2 of 2013 and E.P.No.6 of 2014 filed by her in Family Court for attachment of his property and for his arrest, on or before 15.07.2017.

4. The permanent custody of the children name Baby Akhila who is 14 years old and second child Master Hemant is aged 12 years is given to the Appellant herein and the respondent will not have any visiting rights of the children.

5. This Respondent in FCA unconditionally withdraws all the allegations of adultery and theft made against the appellant herein and respondent O.P.No.92/2009 in view of this compromise.

6. The Respondent has agreed to return to Appellant, the original / Xerox gift deed bearing document no.2124/2001 dated 30-07-2001 registered in the Office of the Sub-Registrar, Amalapuram which was in the name of the Appellant of the property bearing D.No.6-4-98, situated at Ashoknagar, Amalapuram, East Godavari District.

7. Both the parties have no claims against each other in future and they should not file any cases in future against each other and should not interfere in each others' life."

Today, at the hearing, both the parties are personally present and they have re-affirmed the terms of the Memorandum of Compromise and requested the Court to confirm the decree for dissolution subject to those terms.

Accordingly, FCAMP.No.158 of 2017 is allowed, the Memorandum of Compromise, dated 15-03-2017, annexed thereto is taken on record and FCA.No.241 of 2010 is dismissed confirming the decree for dissolution of marriage in terms of the Memorandum of Compromise referred to and extracted above.

As a sequel, interim order, dated 08-10-2010, is vacated and FCAMP.No.141 of 2016 in/& FCAMP.No.578 of 2010 are disposed of.

(C.V.Nagarjuna Reddy, J)

(T.Rajani, J)

Dt: 16th March, 2017
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