

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

The Hon'ble Smt. Justice T.Rajani

FCAMP.No.71 of 2017 in/&
Family Court Appeal No.138 of 2014

Date: 14.02.2017

FCAMP.No.71 of 2017

Between:

Smt.Sajaya

... Applicant

and

D.Mohana Vamsi

...Respondent

FCA.No.138 of 2014

Between:

D.Mohana Vamsi

... Appellant

and

Smt.Sajaya

...Respondent

Counsel for the Appellant/Respondent: Mr.D.Sundararajan

Counsel for the Respondent/Applicant: Mr.Venkata Rangadas Kanuri

The Court made the following:

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

This Family Court Appeal (FCA) is filed by the husband of the respondent feeling aggrieved by dismissal of OP.No.616 of 2011, filed by him in the Court of the Judge, Family Court, Ranga Reddy District, for dissolution of his marriage with the respondent.

FCAMP.No.71 of 2017 is filed for treating OP.No.616 of 2011 originally filed under Section 13(1)(ia) of the Hindu Marriage Act, 1955 (for short 'the Act'), as the one filed under Section 13-B thereof.

In support of this Application, both the parties have filed their respective affidavits wherein they have averred that in view of the serious incompatibility between them, they are unable to live together and that they want to legally separate from the wedlock.

At the hearing, the respondent is personally present.

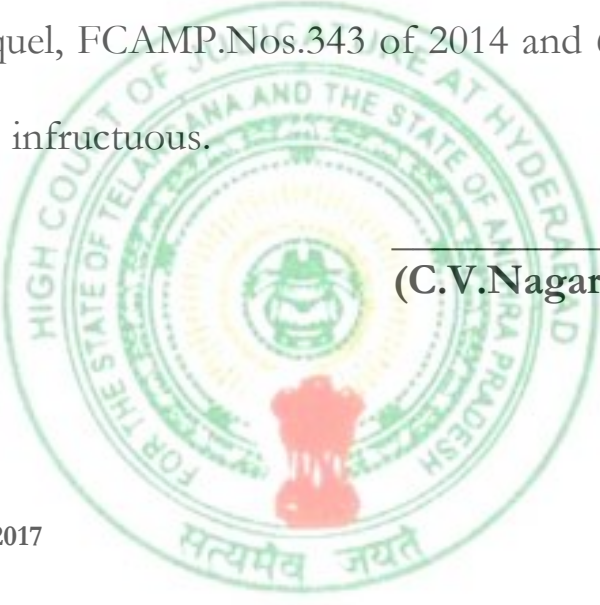
The learned Counsel for the appellant submitted that due to some personal inconvenience, his client has left, but nevertheless, he is willing for grant of divorce by mutual consent.

In view of the above, FCAMP.No.71 of 2017 is allowed.

Order, dated 16-04-2014, in OP.No.616 of 2011 on the file of the Judge, Family Court, Ranga Reddy District, is set aside. OP.No.616 of 2011 is treated as the one filed under Section 13-B of the Act and the same is, accordingly, decreed by granting divorce by mutual consent between the parties.

FCA is, accordingly, allowed to the extent indicated above.

As a sequel, FCAMP.Nos.343 of 2014 and 612 of 2015 are disposed of as infructuous.


(C.V.Nagarjuna Reddy, J)

(T.Rajani, J)

Dt: 14th February, 2017
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