

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

The Hon'ble Smt. Justice T.Rajani
FCAMP.Nos.528 of 2016 & 67 of 2017
in/& Family Court Appeal No.443 of 2013

Date: 13.02.2017

Between:

Venkata Bhargava Ram

... Applicant/Appellant

and

Sailaja @ Sailaja Rani

...Respondent

Counsel for the Appellant: Mr.PSN.Murthy

Counsel for the respondent: Mr.PVV.Gopala Krishna Murthy

The Court made the following:



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

FCAMP.No.528 of 2016 is filed for passing a decree of divorce in terms of the Memorandum of Understanding, dated 16.10.2016, annexed thereto.

FCAMP.No.67 of 2017 is filed for permission to convert the Section of law from 13(1)(ia) of the Hindu Marriage Act, 1955, to 13-B thereof for grant of decree of divorce by mutual consent.

FCA.No.443 of 2013 arises out of Order and Decree, dated 30-09-2013, in FCOP.No.12 of 2012 on the file of the Judge, Family Court, Secunderabad, whereby it has rejected the request of the appellant to grant a decree of divorce between him and the respondent.

At the hearing, both the parties are personally present along with their respective Counsel. They have confirmed that they have entered into the Memorandum of Understanding out of their free will and consent. The respondent has stated that in pursuance of the understanding between them, a sum of Rs.7,50,000/- was settled as permanent alimony, out of which a sum of Rs.3,50,000/- was received by her *vide* Demand Draft No.505521, dated 23-09-2016, drawn on ICICI Bank, Kukatpally

Branch, in the presence of the Judicial First Class Magistrate – cum- Special Mobile Judge at Sanga Reddy in connection with CC.No.592 of 2016 and that the remaining sum of Rs.4 lakhs was also received by her by way of Demand Draft No.076142, dated 21-09-2016, drawn on Andhra Bank, Bhanur Branch, Medak. Both the parties have, accordingly, requested the Court to allow the Applications and the FCA and grant a decree of divorce by mutual consent.

In the light of the above facts, Memorandum of Understanding dated, 16-10-2016, is taken on record and FCAMP.Nos.67 of 2017 & 528 of 2016 and FCA.No.443 of 2013 are allowed. There shall be a decree of divorce by mutual consent under Section 13-B of the Hindu Marriage Act, 1955.

(C.V.Nagarjuna Reddy, J)

(T.Rajani, J)

Dt: 13th February, 2017
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