

**THE HON'BLE SRI JUSTICE SANJAY KUMAR
AND
THE HON'BLE DR.JUSTICE SHAMEEM AKTHER**

**C.M.A.M.P.NO.1603 OF 2017 IN C.M.A.NO.632 OF 2014
AND C.M.A. NO.632 OF 2014**

J U D G M E N T

(Per Hon'ble Sri Justice Sanjay Kumar)

The appellant and respondent are present in person and produced their photo identify proof in the form of Aadhar cards. They were also identified by their respective counsel, Sri V.Surendra Reddy, learned counsel for the appellant-husband, and Sri P.Chandra Sekhar Reddy, learned counsel for the respondent-wife.

In the light of the settlement arrived at by and between the parties, C.M.A.M.P.No.1603 of 2017 was filed by them in the appeal to record the terms of compromise as settled by them which were reduced into writing in terms of the Joint Memorandum dated 06.09.2017. Further, as H.M.O.P.No.29 of 2008 on the file of learned Senior Civil Judge, Piler, was converted from one under Section 13(1)(ia) of the Hindu Marriage Act, 1955 (for brevity, 'the Act of 1955') into one under Section 13-B thereof, as per the order passed by this Court today in C.M.A.M.P.No.1601 of 2017, and as the parties have been living separately for the past 12 years, we are of the opinion that the mandatory waiting period stipulated under the statutory provision can be dispensed with in the case on hand.

C.M.A.M.P.No.1603 of 2017 is ordered and the civil miscellaneous appeal is accordingly allowed setting aside the decree and judgment dated 04.06.2014 passed by the learned Senior Civil Judge, Piler, in H.M.O.P.No.29 of 2008 and dissolving the marriage between the parties by way of a decree of divorce by mutual consent under Section 13-B of the Act of 1955. The matter stands settled in

terms of the Joint Memorandum of Compromise dated 06.09.2017 which shall be made part of this decree and shall be binding upon the parties.

Pending miscellaneous petitions, if any, shall stand closed. No order as to costs.

SANJAY KUMAR, J

DR. SHAMEEM AKTHER, J

6th SEPTEMBER, 2017

Note: Issue C.C. in three days.
B/o SvV

