

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

and

The Hon'ble Smt. Justice T.Rajani

Family Court Appeal No.156 of 2014

Date: 17.03.2017

Between:

Kapu Divya

... Appellant

and

Kapu Mahender

...Respondent

Counsel for the Appellant: Mr.K.S.Murthy

**Counsel for the respondent: Mr.K.G.Krishna Murthy
for Mr.K.Ram Mohan**

The Court made the following:



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

This Family Court Appeal (FCA) arises out of Order and Decree, dated 07-07-2014, in FCOP.No.754 of 2011 on the file of the Judge, Family Court at Secunderabad.

By the aforementioned Order and Decree, the Family Court has granted decree of divorce between the parties. The respondent-wife in the said OP has filed this FCA feeling aggrieved by the said Order and Decree.

Both the parties have filed a Joint Memo *vide* USR.No.1937 of 2017 signed by them and their respective Counsel wherein it is *inter alia* stated that they have agreed for passing the decree in terms of the compromise. It is stated therein that during the pendency of this FCA and at the intervention of the elders, both the families and their well wishers have amicably settled the dispute in the following terms:

- (a) The Respondent/Husband agreed to pay an amount of Rs.13,50,000/- towards permanent alimony to the applicant as full and final settlement and the Appellant wife agreed to that she would not be claiming any amount or property in future from the Respondent/Husband in future and as requested

by the appellant/wife the respondent drawn demand drafts in the name of A.Divya.

D.D. No.	Date	Drawn on Bank & Branch	In favour of	Amount Rs.
631973	15.03.2017	State Bank of Hyderabad,Vikarabad	A.Divya	4,00,000/-
631974	15.03.2017	State Bank of Hyderabad,Vikarabad	A.Divya	4,00,000/-
042186	15.03.2017	Hyderabad District Co-operative Central Bank Limited, Vikarabad	A.Divya	2,00,000/-
044245	14.03.2017	Central Bank of India, Vikarabad	A.Divya	3,50,000/-

(b) Both parties agree that the house hold articles, gifts, gold etc., which are with either of the party shall continue to remain with respective parties and both are agree that no claims directly or indirectly will be raised by either of the party regarding these in future. Both agree not to be associated with any claim by others in their regard against each other.

(c) The Appellant/wife herein has accepted that she has no objection for the granting divorce in favour of the respondent / husband and she will not raise any claims in any manner either civil or criminal in future. The respondent will also not raise any claims either civil or criminal in nature against the appellant in future.”

During the hearing, Mr.K.G.Krishna Murthy, learned Senior Counsel appearing for the respondent, handed over four Demand Drafts, the details of which have been mentioned in the Joint Memorandum as extracted above, for a total sum of Rs.13,50,000/- to Mr.K.S.Murthy, learned Counsel for the

appellant. Both the learned Counsel have requested the Court to dispose of the FCA in terms of the Joint Memo.

In the light of the above facts, the FCA is disposed of by modifying the decree of divorce between the parties to the extent that the decree is granted in terms of the Joint Memo.

As a sequel to disposal of the FCA, FCAMP.Nos.380 of 2014 and 164 of 2016 are disposed of.

(C.V.Nagarjuna Reddy, J)

(T.Rajani, J)

Dt: 17th March, 2017
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