

**HONOURABLE SRI JUSTICE C.V. NAGARJUNA REDDY
AND
HONOURABLE SMT. JUSTICE T. RAJANI**

FCA. No.174 of 2016

DATED:09-02-2017

Between:

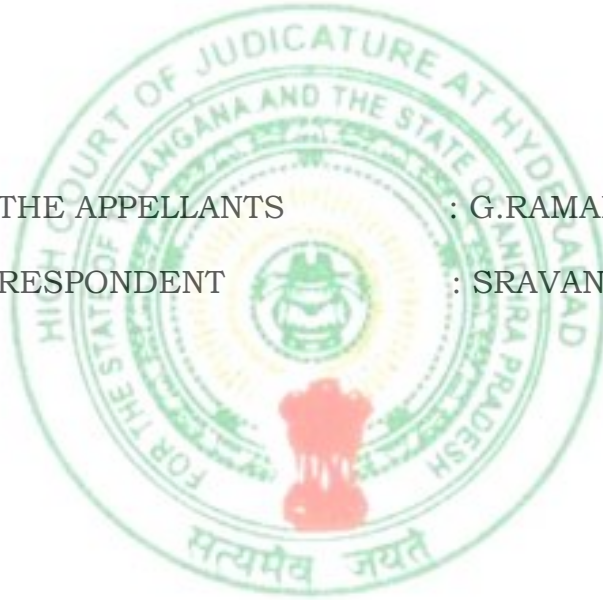
Gitta Phani Kumar and others ... Appellants

And

Gitta Anjana Devi
... Respondents

COUNSEL FOR THE APPELLANTS : G.RAMALAKSHMI

COUNSEL FOR RESPONDENT : SRAVAN KUMAR NAIDANA



THE COURT MADE THE FOLLOWING:

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

This family court appeal arises out of order and decree dated 16.05.2016 in FC.OP. No.1058 of 2010 on the file of the Family Court-cum-V Additional District and Sessions Judge, Visakhapatnam.

On previous occasions we have interviewed both the parties and persuaded them to amicably settle the dispute. Our persuasive efforts having succeeded, the parties have filed a joint memo dated 09.02.2017 as per which, the appellants have agreed for confirmation of the decree for divorce granted by the family Court below on certain terms which are as under:

- “3. (a) The petitioner will be paying Rs.5,00,000/- to the respondent herein towards full and final settlement and respondent agreed that she would not be claiming any amount from the petitioners in future.
(b) The respondent agreed to withdraw the complaint filed by her U/s ec.498-A in C.C.No.1249 of 2009 against the petitioners herein.
(c) The 1st petitioner herein has accepted that he has no objection for the divorce petition FCOP No.964 of 2012 being decreed in favour of the respondent.”

The appellants have enclosed a copy of the demand draft for a sum of Rs.5,00,000/- (Rupees five lakhs only) agreed to be paid by them to the respondent under clause 3(a) supra. The respondent orally acknowledged the receipt of the original demand draft. Both the parties informed the Court that they have executed the joint memo out of their free will and consent.

In the light of the above, the FCA stands disposed of by confirming the decree for dissolution of marriage granted by the family Court below subject to the terms incorporated in the aforementioned joint memo.

As a sequel to disposal of the FCA, FCA. MP. No.434 of 2016 shall stand disposed of as infructuous.

JUSTICE C.V. NAGARJUNA REDDY

JUSTICE T. RAJANI

Date: 09.02.2017
LSK/DSK

