THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

AND

THE HON'BLE SMT. JUSTICE T.RAJANI

F.C.A.M.P.No.26 of 2017
in/and
FAMILY COURT APPEAL No.65 of 2011

27.01.2017

Between:

Pendyala Shivaji

..Appellant/Respondent in F.C.A.M.P.

and

Smt.Vasantha Laxmi

..Respondent in F.C.A./Applicant in F.C.A.M.P.

Counsel for the appellant/respondent F.C.A.M.P.:
Mrs.B.Tarasujatha for Mr.A.Hanumantha Reddy

Counsel for the respondent in F.C.A./Applicant in F.C.A.M.P.:
Ms.V.Khatoon, for Mr.A.L.Raju

The Court made the following:

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

The parties are hereinafter referred to as they are arrayed in the appeal.

The appellant – the husband of the respondent filed F.C.O.P.No.487 of 2007 seeking decree for dissolution of marriage with his wife – the respondent. Instead of granting such decree, the Judge, Family Court, Secunderabad, has granted decree for judicial separation. Feeling aggrieved thereby, the husband filed the present appeal.

2. Pending the appeal, both the parties, having compromised the matter, filed a joint memo along with F.C.A.M.P.No.26 of 2017 filed by the respondent in the appeal for recording compromise and allowing the appeal by granting decree for divorce in terms of (i) (a) to (h) of the said joint memo.

3. At the hearing, both the parties are personally present and while affirming the contents of the aforementioned joint memo, they have requested for passing of decree for divorce by treating F.C.O.P.No.487 of 2007 as having been filed under Section 13-B of the Hindu Marriage Act, 1955 (for short 'the Act').

4. In the light of the above facts and having regard to the joint memo filed by the parties, F.C.A.M.P.No.26 of 2017 and F.C.A.No.65 of 2011 are allowed. The marriage between the parties is dissolved by grating decree for divorce by mutual consent, by treating F.C.O.P.No.487 of 2007 as having been filed under Section 13-B of the Act. The Registry is directed to draft the decree by incorporating the aforementioned terms of the joint memo filed along with F.C.A.M.P.No.26 of 2017.

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C.V.NAGARJUNA REDDY, J

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T.RAJANI, J

27th January, 2017
GHN