HON'BLE SRI JUSTICE SURESH KUMAR KAIT
&
HON'BLE SRI JUSTICE T. AMARNATH GOUD

I.A.No. 2 of 2018 in F.C.A.No. 89 of 2018
&
F.C.A.No. 89 of 2018

JUDGMENT:- (ORAL)
(Per Hon'ble Sri Justice Suresh Kumar Kait)

This appeal is preferred against the order 07.12.2016 in F.C.O.P. No.340 of 2013 passed by the Family Judge, Warangal whereby the petition filed by the appellant under Section 13(i)(ia) and (iii) of the Hindu Marriage Act for grant of divorce on the grounds of cruelty and mental disorder, has been dismissed.

During pendency of the appeal, the appellant-husband and the respondent-wife have resolved all their disputes and filed the present application in I.A.No. 2 of 2018 seeking to record Memorandum of Compromise wherein the appellant has agreed to pay the respondent an amount of Rs.20,00,000/- (Rupees Twenty Lakhs Only) towards permanent alimony and an amount of Rs.3.00 lakhs (Rupees Three Lakhs Only) in lieu of 10 tulas of gold ornaments. In addition to that the appellant has agreed to pay an amount of Rs.50,000/- (Rupees Fifty Thousand Only). The respondent-wife, who is present in the Court and identified by her counsel, submits that she has no objection if the present appeal is allowed in terms of the Memorandum of Compromise. She has further agreed that she

will withdraw all the cases filed against the appellant and shall not make any future claims. For identification she has produced her Original Aadhaar Card bearing No.2499 4733 8406. Original Aadhaar Card is seen and returned to her and photocopy of the same is placed on record.

In pursuance of the compromise took place between them, the appellant, before this Court, has handed over a Demand Draft bearing No.208907, dated 29.08.2018 for Rs.10.00 lakhs (Rupees Ten Lakhs Only) drawn on Canara Bank, Warangal, Post-dated cheque bearing No.474615, dated 01.11.2018 for Rs.3.00 lakhs (Rupees Three Lakhs Only) drawn on Canara Bank, Warangal and anther Post-dated Cheque bearing No. 474616, dated 30.12.2018 for Rs.10.00 lakhs (Rupees Ten Lakhs Only) drawn on Canara Bank, Warangal and cash of Rs.50,000/- (Rupees Fifty Thousand Only) to the respondent. After receiving the Demand Draft, two post-dated cheques and the cash, the respondent has agreed to allow the appeal.

Keeping in view the terms of compromise, we hereby dissolve the marriage between the appellant and the respondent solemnized on 04.04.2007. It is made clear that the allegations made against each other have been condoned by the parties.

Accordingly, I.A.No. 2 of 2018 is allowed recording the Memorandum of Compromise. Consequently, F.C.A.No. 89 of 2018 is allowed in terms of the Memorandum of Compromise. No order as to costs.

As a sequel, Miscellaneous Petitions, if any pending, shall stand disposed of as infructuous.

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SURESH KUMAR KAIT, J

06.09.2018

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T. AMARNATH GOUD, J

bcj

HIGH COURT OF JUDICATURE AT HYDERABAD FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH सत्यमेव जयते