

**HON'BLE SRI JUSTICE SURESH KUMAR KAIT  
AND  
HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI**

**I.A. No.1 of 2018  
&  
F.C.A.No.183 OF 2017**

**ORDER:** (ORAL)

*(per Hon'ble Sri Justice Suresh Kumar Kait)*

Vide I.A.No.1 of 2018, the petitioner/husband seeks direction thereby to record the terms of compromise and allow FCA No.183 of 2017 while dissolving the marriage dated 04.12.2008 between the petitioner/husband and the respondent/wife in terms of Memorandum of Compromise duly setting aside the order and decree dated 19.10.2016 passed in FCOP No.7 of 2014 by the learned Judge, Family Court at Nellore.

2. Vide F.C.OP No.7 of 2014, the appellant/husband filed petition under Section 13 (1) (ib) of Hindu Marriage Act 1955 before the Court below to dissolve the marriage between him and the respondent, which was solemnized on 04.12.2008 at Nellore. The said petition was dismissed vide order dated 19.10.2016. Being aggrieved, the appellant/husband filed FCA No.183 of 2017 before this Court. However, during the course of pending appeal, the appellant and the respondent entered into compromise, which is on record with the present petition.

3. Learned counsel appearing on behalf of the parties state that the appellant/husband and the respondent/wife have agreed to dissolve their marriage by mutual consent solemnized on 04.12.2008. The appellant has agreed to give an amount of Rs.16,00,000/- (Rupees sixteen lakhs only) as full and final settlement towards alimony and maintenance or any other claim. Out of Rs.16 lakhs, Rs.4 lakhs has already been paid to the respondent by way of Demand Draft as is mentioned in the Memorandum of Compromise and the remaining Rs.12 lakhs has been given to her by way of two Demand Drafts. Details of the same are mentioned in the above mentioned Memorandum.

4. The respondent/wife is personally present in Court with her learned counsel. For her identification, she has produced Xerox copy of Aadhar Card issued by Government of India vide No.451948566683. The same is kept on record. In addition to above, she has also produced copy of Savings Bank account No.20395816858 maintained in Balaji Nagar Brach, State Bank of India.

5. The respondent has no dispute if the present appeal is allowed and states that she has no objection if their marriage solemnized on 04.12.2008 is dissolved with mutual consent.

6. Keeping in view the averments made in the instant petition and the submissions of learned counsel for the

parties, we hereby dissolve the marriage in terms of Memorandum of Compromise duly signed by both parties which was solemnized on 04.12.2008.

7. Accordingly, I.A.No.1 of 2018 is allowed. Consequently, F.C.A. No.183 of 2017 is disposed of. There shall be no order as to costs.

Miscellaneous Petitions, if any pending, shall stand closed.

**SURESH KUMAR KAIT, J.**

**ABHINAND KUMAR SHAVILI, J.**

Date : 11-06-2018  
Gvl

