

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

and

The Hon'ble Sri Justice Abhinand Kumar Shavili

IA.Nos.1 and 2 of 2018 in/&
Civil Miscellaneous Appeal No.1006 of 2017

Date: 15.03.2018

Between:

Batchu Venkateswara Rao

... Appellant

and

Batchu Bhagyalakshmi

...Respondent

Counsel for the Appellant: Mr.K.Suresh Reddy

Counsel for the respondent: Mr.AVVS.N.Murthy

The Court made the following:



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

CMA.No.1006 of 2017 is filed against Order and Decree, dated 06-06-2017, in HMOP.No.76 of 2014, on the file of the Senior Civil Judge, Repalle, whereby he has dismissed the said OP filed by the appellant for declaring the marriage between the parties as nullity.

IA.No.1 of 2018 is filed with the prayer to allow the CMA in terms of the Memorandum of Compromise annexed thereto as per which both parties have agreed for dissolution of their marriage.

IA.No.2 of 2018 is filed for permission to amend the prayer in HMOP.No.76 of 2014 by substituting the provision - 'Section 12 (1) (a) of the Hindu Marriage Act, 1955' with 'Section 13-B of the Hindu Marriage Act, 1955' and to grant a decree of divorce by dissolving the marriage between the parties by mutual consent.

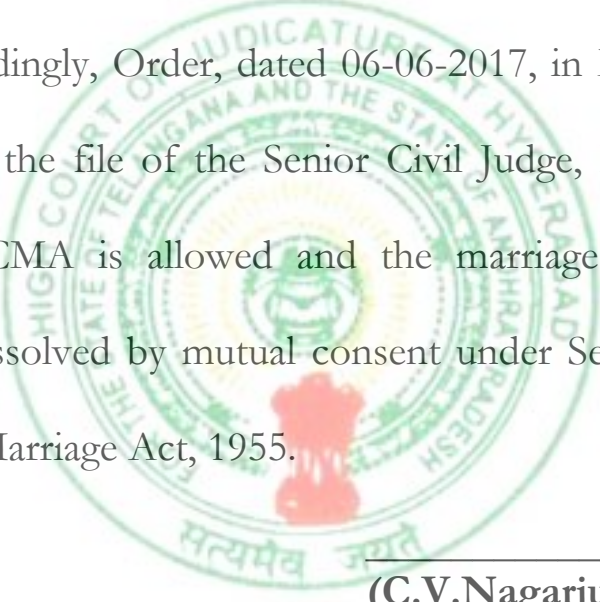
At the hearing, Sri K.Suresh Reddy, learned Counsel for the applicant/appellant, has handed over Demand Draft bearing No.944244, dated 13-03-2018, for a sum of Rs.14 lakhs drawn on the State Bank of India, Repalle Branch, as per Clause (a) of the terms of the Memorandum of Compromise to the respondent.

Both the parties have exchanged the gold ornaments belonging to them respectively from each other as per Clause (b) of the terms of the Memorandum of Compromise.

Both the parties have informed the Court that they do not have any claims against each other.

In the light of the above, IA.Nos.1 and 2 of 2018 are allowed and the Memorandum of Compromise annexed thereto is taken on record.

Accordingly, Order, dated 06-06-2017, in HMOP.No.76 of 2014 on the file of the Senior Civil Judge, Repalle, is set aside, the CMA is allowed and the marriage between the parties is dissolved by mutual consent under Section 13-B of the Hindu Marriage Act, 1955.


(C.V.Nagarjuna Reddy, J)

(Abhinand Kumar Shavili, J)

Dt: 15th March, 2018
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