

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

and

The Hon'ble Sri Justice Gudiseva Shyam Prasad

FCA.No.271 of 2017 & CMA.No.652 of 2017

Date: 02.03.2018

Between:

Smt.Bheemrasetty Gayatri

... Appellant

and

Bheemrasetty Uma Venkata Satya Suresh Kumar

...Respondent

Counsel for the Appellant: Mr.Reddy Venkata Ramana

Counsel for the respondent: None appeared

The Court made the following:



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

These two Appeals arise between the same parties in connection with matrimonial disputes.

The respondent has filed FCOP.No.1022 of 2013 under Section 13 (1) (ib) of the Hindu Marriage Act, 1955, seeking dissolution of the marriage between him and the appellant, which was decreed on 11-05-2016.

The said FCOP was decreed after closure of the respondent's evidence on the ground that in spite of taking several adjournments, the appellant has not cross-examined the respondent and also failed to adduce evidence on her behalf. The appellant has filed IA.No.910 of 2016 under Order IX Rule 13 CPC for setting aside the said decree. By Order, dated 24.03.2017, the Judge, Family Court –cum- V Additional District Judge, Visakhapatnam, has dismissed the said IA. Feeling aggrieved by the said dismissal, the appellant has filed CMA.No.652 of 2017.

On 28-12-2017, both parties were present and after the Court interacted with them, they agreed to settle the dispute, as per which, the respondent has agreed to pay the appellant, a sum of Rs.5 lakhs along with interest.

Today also, at the hearing, both parties are personally present. The appellant has admitted that earlier the respondent has paid a sum of Rs.3,53,000/-. Today, at the hearing, the respondent has handed over a Demand Draft for Rs.5 lakhs to the Court, which, in turn, gave the same to the appellant. After receiving the said Demand Draft, the appellant submitted that she has received the entire amount from the respondent as per the settlement and that she has no further claims whatsoever against the respondent. She has, accordingly, requested the Court to dismiss both the Appeals confirming the decree of divorce.

In the light of the above, both the Appeals stand dismissed as the disputes between the parties have been fully settled in all respects. It is further declared that the appellant has no claims whatsoever against the respondent in connection with their matrimonial disputes.

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

(C.V.Nagarjuna Reddy, J)

(Gudiseva Shyam Prasad, J)

Dt: 2nd March, 2018
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