

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

**I.A.No.1 of 2018
in/and
FAMILY COURT APPEAL No.228 of 2017**

ORDER: (ORAL)

(Per Suresh Kumar Kait, J)

I.A.No.1 of 2018 is filed to grant divorce to the applicant-appellant and respondent by dissolving their marriage performed on 16.03.2006 at Sridhar Function Plaza, Khairatabad, Hyderabad, as per the memorandum of compromise entered between them on 26.07.2018.

Vide F.C.A.No.228 of 2017, appellant has challenged order and decree dated 17.04.2017 passed in F.C.O.P.No.1302 of 2011 on the file of the Judge, Family Court, Ranga Reddy District, at L.B. Nagar, whereby the petition filed by the appellant under Section 9 of the Hindu Marriage Act, seeking restitution of conjugal rights, has been dismissed, while allowing the counter claim of the respondent. Being aggrieved, the F.C.A. is filed.

During pendency of the appeal, the appellant and respondent have entered into a compromise and accordingly filed I.A.No.1 of 2018 to dissolve their marriage. A Memorandum of Compromise dated 26.07.2018 has been

entered into by the parties, which is annexed to the I.A. As per the said compromise, appellant has agreed to pay a sum of Rs.6,00,000/- (Rupees Six Lakh only) towards permanent alimony to the respondent as full and final settlement.

Today, when the matter is taken up for hearing, appellant as well as the respondent are personally present in Court along with their respective counsel.

It is submitted by the learned counsel for the appellant that appellant has already paid the sum of Rs.6,00,000/- as agreed upon, on 26.07.2018, to the respondent towards permanent alimony as full and final settlement and the respondent has taken away gold jewellery and other articles belonging to her.

The respondent, who is present in Court, is identified by her counsel. In proof of her identity, she has produced Aadhar card issued by the Govt. of India bearing No.911469993966. The original is seen, returned and photocopy of the same is taken on record. She submits that she received the said sum of Rs.6,00,000/- and deposited the same in her bank account maintained with HDFC bank, Nacharam Branch, Hyderabad. The respondent submits that she has no objection if divorce is granted.

The appellant, who is present in Court along with his counsel, also submits that divorce may be granted.

Further, the parties have agreed to withdraw all pending cases before courts against each other.

In view of the above, I.A.No.1 of 2018 is allowed. Consequently, the marriage between the appellant and the respondent performed on 16.03.2006 at Sridhar Function Plaza, Khairatabad, Hyderabad is dissolved as per the memorandum of compromise entered between them on 26.07.2018. The said memorandum of compromise shall form part of the decree.

F.C.A.No.228 of 2017 is accordingly closed.

As a sequel, miscellaneous petitions, if any pending in the appeal, stand closed.



SURESH KUMAR KAIT, J

T. AMARNATH GOUD, J

September 28, 2018
MRR