

* HON'BLE SRI JUSTICE V.RAMASUBRAMANIAN
AND
HON'BLE Ms. JUSTICE J.UMA DEVI

+ F.C.A. No.239 of 2018

% Date: 14-11-2018

Puttamraju Sai Swaroop S/o Seetharamaiah,
Aged 32 years, Occ: Private Service, R/o H.No.2-1-189,
Plot No.45A, Road No.3, Venkataramana Colony,
Nagole, Hyderabad-500 068

... Appellant/Petitioner

Vs.

\$ Smt. Puttamraju Swathi W/o Sai Swaroop,
Aged 27 years, Occ: Private Service, R/o Plot No.205C,
Vertex Pride Apts., Nizampet Road, Kukatpally, Hyderabad,
presently residing at Flat NO.A:305, Vrushabhadri Seven
Hills Apts., Nizampet Road, Kukatpally, Hyderabad-500 072

... Respondent/Respondent

! Counsel for appellant: Mr. M.S.N. Prasad

Counsel for Respondent: Mr. K.Chaitanya

< Gist:

> Head Note:

? Cases referred:
Nil.

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Judgment: (per V.Ramasubramanian, J.)

The appeal arises out of the dismissal of a petition for dissolution of marriage filed by the appellant/husband on the ground of cruelty and desertion.

2. Heard the learned counsel on both sides.

3. During the pendency of the appeal, the parties have entered into a compromise. The Memorandum of Compromise reads as follows:

“1. It is mutually agreed by both the parties to dissolve the marriage by way of compromise with a condition that the petitioner shall pay permanent alimony of Rs.25,00,000/- (Rupees twenty five lakhs only) by way of Bankers Cheque in full and final settlement. Accordingly, the First Party has taken Demand Draft for the said sum vide Bankers Cheque bearing No.400916 dated 04th October, 2018 drawn on Bank of Baroda for Rs.25,00,000/-.

2. The respondent herein and hereby unequivocally undertakes that she will not claim any further maintenance /claims or rights in the properties whatsoever in future in whatever manner.

3. Both the parties have agreed to withdraw all the allegations levelled inter-se among the spouses unconditionally.

4. It is submitted that both the parties have no right to involve each other personal lives. Today onwards they are separate their own will and wish.

5. Both the parties have agreed to subscribe their signatures to this Memorandum of Compromise to dissolve their marriage between them held on 24-8-2013 at Sri Venkateshwara Kalyan Mandapam, Near Satya Sai Nigamam, Srinagar Colony, Hyderabad by mutual consent.

6. Both the parties further agreed that this Memorandum of Compromise has been executed between them voluntarily without any fear, undue influence, coercion or ulterior motive but only to safeguard the interest and future of the respective parties.

In witness whereof the parties namely the petitioner and the respondent hereto have set their hands to this deed of Memorandum of Understanding out of their free will and consent on this the 04th day of October, 2018, in the presence of following witnesses:

Sd/-	Sd/- xx xx xx,
Counsel for the appellant	Appellant
Sd/-	Sd/- xx xx xx,
Counsel for the respondent	Respondent."

4. The parties were present in Court. Their identities were verified. They confirmed having entered into a compromise. A Bankers Cheque for a sum of Rs.25,00,000/- (Rupees twenty five lakhs only) drawn on Bank of Baroda, dated 04-10-2018, is handed over today to the respondent/ wife.

5. Therefore, the appeal is allowed, the judgment and decree of the Family Court are set aside and a decree of dissolution of marriage is passed. It is also declared that the parties will have no further or other claims against each other and all the disputes shall stand resolved. Pending applications, if any, shall stand closed. No costs.

V.RAMASUBRAMANIAN, J.

J.UMA DEVI, J.

14th November, 2018.
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AND
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F.C.A. No.239 of 2018
(per VRS, J.)



14th November, 2018.
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