

**THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY
AND
THE HON'BLE SRI JUSTICE GUDISEVA SHYAM PRASAD**

CIVIL MISCELLANEOUS APPEAL No.669 of 2018

30.08.2018

Between:

Erupaka Parvatamma

..Appellant

and

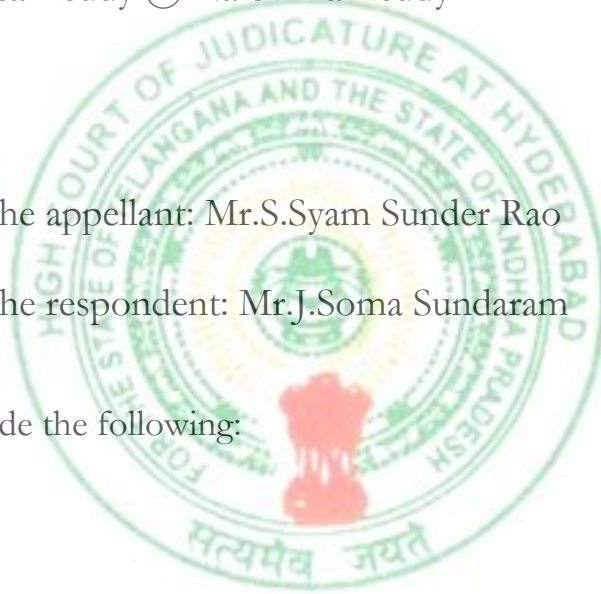
Erupaka Narsa Reddy @ Narsimha Reddy

..Respondent

Counsel for the appellant: Mr.S.Syam Sunder Rao

Counsel for the respondent: Mr.J.Soma Sundaram

The Court made the following:



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

This civil miscellaneous appeal is filed against order, dated 10.06.2018, in O.P.No.2659 of 2017 on the file of learned XVI Additional District and Sessions Judge, Ranga Reddy District at Malkajgiri.

2. We have heard the learned counsel for both the parties.
3. The appellant has filed the aforementioned O.P. under Section 25 of the Hindu Marriage Act, 1955 (for short 'the Act') seeking permanent alimony and maintenance against her husband, the respondent herein. The said O.P. was dismissed by the Court below on the ground that the appellant was absent and there was no representation on her behalf.
4. At the hearing, both the parties are personally present in the Court. The sons of Vanga Indira Reddy, who was claimed to have been adopted by the respondent and who is no more, are also personally present in the Court and they informed the Court that two days back a sum of Rs.10 lakhs received by the respondent towards compensation for the land belonging to him acquired by the Government has been transferred to the personal bank account of the appellant towards her maintenance and permanent alimony. This information is confirmed by the appellant and her

sister – Laxmi, W/o. Mohan Reddy, who is also personally present in the Court. The appellant and her sister have submitted that in view of the aforementioned subsequent event of transfer of a sum of Rs.10 lakhs to the personal account of the appellant, she is not interested in pursuing her cause in the appeal.

5. The Civil Miscellaneous Appeal is, accordingly, dismissed, however, with liberty to the appellant to claim any further amounts from the estate of the respondent in the event the latter predeceases her.

6. As a sequel to dismissal of the Civil Miscellaneous Appeal, I.A.No.1 of 2018 filed by the appellant for interim relief stands dismissed as infructuous.



C.V.NAGARJUNA REDDY, J

GUDISEVA SHYAM PRASAD, J

30th August, 2018

GHN

