

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

I.A.No.1 of 2018 & F.C.A.No.111 OF 2017

ORDER: (ORAL)
(per Hon'ble Sri Justice Suresh Kumar Kait)

Vide I.A.No.1 of 2018, the petitioner/husband seeks direction thereby to record the Terms of Compromise between the parties and allow FCA No.111 of 2017 while dissolving the marriage dated 10.11.2005 between the petitioner/appellant and the respondent/wife in terms of Memorandum of Compromise duly setting aside the order dated 11.06.2015 in FCOP No.85 of 2013 on the file of Family Court-cum-III Additional District Judge at Vizianagaram.

2. Vide FCOP No.85 of 2013, the appellant/husband filed petition under Section 13 (1) (ia) and (ib) of Hindu Marriage Act seeking for dissolution of their marriage by way of decree of divorce. The said petition was dismissed vide order dated 11.06.2015. Being aggrieved, the appellant/husband filed the present appeal. However, during the course of pending appeal, the appellant and the respondent have entered into compromise, dated 11.09.2018, which is on record with the present petition.

3. The respondent/wife is personally present in Court with her learned counsel. For her identification, she has produced original Aadhar Card bearing No.475372457757 issued by the Government of India. Original of the same has

been seen and returned to her. Xerox copy of the same is taken record. The respondent has come with her elder brother namely Mugada Lakshmi Kantha Rao who has also produced his Aadhar Card vide No.425396109279. She states that she is no more interested to stay with the appellant. Therefore she has requested let their marriage dated 10.11.2005 be dissolved by mutual consent.

4. For the aforesaid purpose, the appellant/husband has filed I.A.No.1 of 2018 whereby prayed that compromise be recorded and may pass decree of divorce by mutual consent as per the terms of compromise.

5. Accordingly, we hereby accept their compromise and dissolve their marriage dated 10.11.2005 by mutual consent.

6. The appellant and the respondents have condoned all the allegations made against each other by various litigations against them.

7. Accordingly, I.A.No.1 of 2018 is allowed. Consequently, FCA No.111 of 2017 is disposed of. No order as to costs.

Miscellaneous Petitions, if any pending, shall stand closed.

SURESH KUMAR KAIT, J.

T. AMARNATH GOUD, J.

Date : 12-09-2018

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