

THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

AND

THE HON'BLE SRI JUSTICE T.AMARNATH GOUD

FAMILY COURT APPEAL No.366 of 2018

11.10.2018

Between:

Geedi Anusha Goud

..Appellant

and

N.Deepak Goud

..Respondent

Counsel for the appellant: Mr.K.P.Vijay Kumar

Counsel for the respondent: Mr.M.Vijay Kumar Goud

The Court made the following:



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

This Family Court Appeal is filed against common order and decree, dated 12.07.2018, passed in the counter-claim filed by the respondent in O.P.No.148 of 2013, which was filed by the appellant seeking dissolution of her marriage with the respondent.

2. During the hearing, it has come out that the appellant has not filed a separate appeal against dismissal of O.P.No.148 of 2013. Realizing this mistake, the learned counsel for the appellant has sought for liberty to file a separate appeal.

3. As regards the present appeal, the respondent is personally present. On instructions from him, Mr.M.Vijay Kumar Goud, learned counsel, has submitted that while in principle his client has no objection for setting aside the decree of restitution of conjugal rights passed in the counter-claim filed by him in O.S.No.148 of 2013 as the appellant is not willing to live with him, he did not give consent as the parents and other family members of the appellant started false propoganda that he has demanded money for giving consent for dissolution of the marriage. On being counselled by

this Court, the respondent has agreed for setting aside of the decree of restitution of conjugal rights.

4. In the light of the consent conveyed by the respondent during the hearing, the decree of restitution of conjugal rights granted by the Court below in the counter-claim filed in O.P.No.148 of 2013 on the file of learned XVI Additional District and Sessions Judge's Court-cum-XVI Additional Metropolitan Sessions Judge's Court-cum-III Additional Family Court, Ranga Reddy District at Malkajgiri, is set aside.

5. The Family Court Appeal is, accordingly, allowed.

6. As a sequel to allowing the appeal, I.A.No.1 of 2018 filed by the appellant for interim suspension stands disposed of as infructuous.

C.V.NAGARJUNA REDDY, J

T.AMARNATH GOUD, J

11th October, 2018
GHN

