

HON' BLE SRI JUSTICE C.PRAVEEN KUMAR
AND
HON' BLE SRI JUSTICE T.AMARNATH GOUD

FAMILY COURT APPEAL Nos. 199 of 2015 and 203 of 2015

COMMON JUDGMENT:

The present appeals came to be filed under Section 19 of the Family Courts Act, 1984 assailing the common order dated 07.05.2015 passed in O.P.Nos. 854 of 2010 and 1045 of 2010 on the file of the Judge, Family Court at L.B.Nagar, Ranga Reddy, wherein O.P.No. 1045 of 2010 filed by the appellant-husband seeking dissolution of marriage, was dismissed, while allowing O.P.No. 854 of 2010 filed by the respondent-wife for restitution of conjugal rights.

2. Pending appeals, both the parties have entered into a settlement, which led to filing of I.A.No. 1 of 2018 in F.C.A.No. 199 of 2015 under Order 23 Rule 3 of Civil Procedure Code read with Section 151 of Civil Procedure Code, seeking to record the compromise and to enable dissolution of the marriage between the parties.

3. The averments in the affidavit filed in support of the application would show that the parties have agreed to settle all the disputes between them. It is further stated that both the parties shall have no claim against each other beyond the compromise and are agreeable for the F.C.As being disposed of by recording the Memorandum of Compromise entered into between

them. The terms of the compromise also show that the parties shall withdraw all the cases filed against each other, including Crime No. 710 of 2017 at K.P.H.B. Police Station. It was further agreed that after obtaining divorce, the parties will not interfere with each other's life and will not file any cases against each other.

4. On 16.04.2018, both the parties were present before the Court and were identified by their respective counsel. When enquired, both of them stated that they have settled the dispute and intend to seek divorce by consent. The respondent-wife also stated that she received the consideration as agreed upon and has no objection for grant of divorce.

5. Having regard to the compromise entered into between the parties as both of them have been living separately and the possibility of reunion between them being very remote, we order dissolution of marriage by consent between the appellant and the respondent, in terms of the compromise entered into between them.

6. F.C.A.No. 203 of 2015 is accordingly allowed. F.C.A.No. 199 of 2015 is dismissed. Miscellaneous applications, if any, stand closed.

JUSTICE C. PRAVEEN KUMAR

JUSTICE T. AMARNATH GOUD

18.04.2018
DMG

