

THE HON'BLE THE CHIEF JUSTICE RAGHVENDRA SINGH CHAUHAN
AND
THE HON'BLE SRI JUSTICE DR. SHAMEEM AKTHER

I.A.No.4 OF 2019 AND F.C.A.No.102 OF 2019

JUDGMENT: (Per the Hon'ble the Chief Justice Raghvendra Singh Chauhan)

Aggrieved by Judgment and Decree, 01.03.2019, passed by the XV Additional Sessions Judge, Ranga Reddy District, Kukatpally, whereby FCOP.No.1994 of 2018, filed by the appellant, seeking divorce from the respondent, was dismissed, the appellant has filed the present Appeal before this Court.

However, during the pendency of the present appeal, the parties have entered into a compromise. I.A.No. 4 of 2019 has been filed as an application under Section 13-B of the Hindu Marriage Act, 1955 (for short 'the Act') as well as for bringing the terms of the compromise on record.

Both the petitioner, Mrs. Panvelli Rekha, and the respondent, Mr. Bollanaboina Kondal Yadav, are present before this Court. While the petitioner, Mrs. Rekha has submitted her PAN card in order to establish her identity, the respondent, Mr. Kondal Yadav, has submitted his Aadhar Card in order to prove his identity; they have also been identified by their respective counsel.

Both the parties are *ad idem* that they would like to divorce each other on the basis of mutual consent. They are

also *ad idem* that they have entered into a compromise. A copy of the compromise has been submitted along with I.A.No.4 of 2019. The same shall be placed on record.

The terms and conditions of the compromise are as under:-

- 1) *The respondent must pay an amount of Rs.4,50,000/- to the appellant for permanent alimony and he paid an amount of Rs.2,00,000/- as cash on 22nd March, to the appellant.*
- 2) *The respondent handed over the Demand Draft for an amount of Rs.2,50,000/- vide D.d.No.560772, Kotak Mahindra Bank, Jubilee Hills Branch, Hyderabad, on 3rd June, 2019, to the appellant.*
- 3) *After obtaining the mutual consent divorce, either party may not file any civil and criminal cases on each other.*

Considering the fact that the parties have agreed for divorce by mutual consent by entering into a compromise, the terms of which have been reproduced above and read over and explained to them, and also that they have been staying away from each other for many years, the statutory requirement under Section 13-B of the Act is hereby dispensed with. I.A.No.4 of 2019 is allowed. Consequently, the marriage, dated 13-10-2011, performed between the parties, is dissolved under Section 13-B of the Act.

The Appeal is accordingly allowed. Miscellaneous petitions pending, if any, shall stand closed. No order as to costs.

The Registry is directed to incorporate the terms of compromise in the decree and issue the same.

RAGHVENDRA SINGH CHAUHAN, CJ

Dr.SHAMEEM AKTHER, J

03rd July, 2019
Pln/Tsr



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03.07.2019

Pln/tsr