

HIGH COURT FOR THE STATE OF TELANGANA

THE HON'BLE THE CHIEF JUSTICE SRI RAGHVENDRA SINGH CHAUHAN

AND

THE HON'BLE SRI JUSTICE A. ABHISHEK REDDY

I.A.Nos.1, 2 and 3 of 2019

In/And

F.C.A.No.289 of 2017

18.02.2020

Between:

Jindham Suryam

...Appellant

and

Konda Shashikala

...Respondent

Counsel for the appellant : Mr. K. Venkateshwara Rao

Counsel for the respondent: Mr. B. Naresh

The Court made the following:



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

Both the appellant, Mr. Jindham Suryam, and the respondent, Smt. Konda Shashikala, are present before this Court. They have submitted their respective Aadhaar cards, in order to establish their identity. They have also been identified by their respective counsel.

Aggrieved by the judgment and decree, dated 04.01.2017, passed by the learned Judge, Family Court, Karimnagar, whereby the learned Judge had dismissed the petition, *namely* F.C.O.P.No.36 of 2016, filed by the appellant-husband, under Section 12 of the Hindu Marriage Act, 1955 ("the Act", for short), seeking for dissolution of his marriage with the respondent-wife, the appellant-husband has filed the present appeal before this Court.

However, during the pendency of the present appeal, the parties have entered into a compromise. Therefore, they have filed the present applications, *namely* I.A.No.1 of 2019 for bringing on record the compromise entered into between the parties, I.A.No.2 of 2019 for permitting the parties to compromise the matter under Section 13-B of the Act, and I.A.No.3 of 2019 for dispensing with the statutory period of six months under Section 13-B of the Act.

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

- "1. The appellant and the respondent herein have agreed to take back their belongings and decided to reside separately.
2. The appellant herein has agreed to pay a sum of Rs.11,00,000/- towards full and final

*settlement and accordingly the said amount
has been paid to the respondent in
cash/online bank transfer.”*

Considering the fact that the parties have left the company of each other since 2014, considering the fact that there is no possibility of reconciliation between them, the statutory period for granting the divorce by mutual consent is, hereby, dispensed with. I.A.No.3 of 2019 is, accordingly, allowed.

Furthermore, the respondent-wife informs this Court that she has received an amount of Rs.11,00,000/- from the appellant-husband. Therefore, the compromise entered between the parties has been complied with. Hence, their marriage performed on 09.02.2014 is, hereby, dissolved.

Therefore, I.A.No.1 of 2019 and I.A.No.2 of 2019 are, hereby, allowed. The memorandum of compromise annexed to I.A.No.1 of 2019 shall be taken on record.

The appeal is, accordingly, allowed in terms of the memorandum of compromise. The Registry is directed to draft the decree in accordance with the terms reached between the parties. There shall be no order as to costs.

The miscellaneous petitions pending, if any, shall stand closed.

RAGHVENDRA SINGH CHAUHAN, CJ

A. ABHISHEK REDDY, J

18th February, 2020
JSU

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