

THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

AND

THE HONOURABLE JUSTICE G. SRI DEVI

I.A.NO.1 OF 2021

IN/AND

F.C.A.NO.376 OF 2018

COMMON JUDGMENT: (Per the Hon'ble Justice G.Sri Devi)

The appellant, who is the petitioner in F.C.O.P.No.19 of 2015 on the file of the Judge, Family Court-Additional District and Sessions Judge at Karimnagar, filed this appeal under Section 39 of the Special Marriage Act, 1954 ("the Act" for brevity), challenging the dismissal order dated 09.03.2018 passed in the above F.C.O.P., which was filed under Section 27 of the Act seeking dissolution of the marriage on ground of cruelty and desertion.

During pendency of the appeal, I.A.No.1 of 2021 came to be filed by the petitioner to alter the Section of Law from that of Section 39 of the Act to that of Section 28 of the Act, i.e. for grant of divorce by mutual consent and to dissolve the marriage between the appellant and the respondent. They have stated that at the intervention of elders and well wishers, the parties have settled their disputes mutually.

Today, both the parties are present before this Court, filed their respective Aadhar Cards and they were identified by their respective counsel. This Court, when examined, both the parties have stated that at the instance of the elders, they have settled the matter out of the Court.

In the light of the settlement arrived at between the parties, I.A.No.1 of 2021 is ordered.

Accordingly, the F.C.A. is allowed, setting aside the judgment dated 09.03.0218 passed in F.C.O.P.No.19 of 2015 on the file of the Judge, Family Court-Additional District and Sessions Judge at Karimnagar, and the marriage between the appellant and the respondent is dissolved. There shall be no order as to costs.

Miscellaneous applications, if any, pending, shall stand closed.

(A.RAJASHEKER REDDY, J)

(G.SRI DEVI, J)

27th September 2021
RRB