

THE HON'BLE JUSTICE G. SRI DEVI
AND
THE HON'BLE SMT. JUSTICE M.G. PRIYADARSINI

I.A. No. 1 of 2022

IN/AND

F.C.A.No.50 of 2020

JUDGMENT: *(per Justice G. Sri Devi)*

1) The present appeal is filed against the order and decree dated 10.01.2020 passed in O.P.No.900 of 2016 on the file of the Judge, Additional Family Court, Hyderabad.

2) The appellant herein-husband filed O.P.No.900 of 2016 under Section 13 (1) (ia) and (ib) of the Hindu Marriage Act seeking dissolution of the marriage on the ground of cruelty. Vide order and decree dated 10.01.2020, the learned Judge, Additional Family Court, dismissed the said O.P. Challenging the same the present appeal is filed by the appellant-husband.

3) During pendency of the appeal, both the parties filed the present application i.e., I.A. No. 1 of 2022 to record the compromise entered between the parties and to allow the appeal in terms of the compromise. A memorandum of

compromise entered between the parties is appended along with the I.A.

4) Today the appellant and respondent are present and produced their passport photographs and Xerox copies of their Aadhar Cards. They are identified by their respective counsel. In the Memorandum of compromise, it has been stated that due to the intervention of the well wishers of both the parties, the parties have compromised the dispute and that they have agreed to dissolve their marriage on the following terms.

- a) The appellant shall pay a sum of Rs.25,00,000/- to the respondent towards her permanent alimony and for full and final settlement for dissolution of their marriage.
- b) On condition of such payment of permanent alimony of Rs.25,00,000/- the respondent agreed to withdraw D.V.C.No.2 of 2017 pending on the file of the Principal Junior Civil Judge-cum-Metropolitan Magistrate, Malkajgiri; C.C.No.646 of 2016 pending on the file of the XIII Additional Chief Metropolitan Magistrate, Nampally, Hyderabad and the respondent shall extend her consent for compromise and divorce in F.C.A.No.50 of 2020 pending before this Court.

- c) The appellant had already paid an amount of Rs.10,00,000/- to on 04.08.2022 and Rs.10,00,000/- on 29.08.2022 by way of Banker Cheques bearing Nos.736512 dated 03.08.2022 and 736607 dated 26.08.2022, both drawn on State Bank of India, MCH, Tankbund Branch, Hyderabad and accordingly, the respondent has withdrawn D.V.C.No.2 of 2017. The remaining amount of Rs.5,00,000/- is agreed to paid on the day of listing of C.C.No.646 of 2016 pending on the file of the XIII Additional Chief Metropolitan Magistrate, Nampally, Hyderabad.
- 5) When examined, the parties have reiterated the contents of the memorandum of compromise and prayed to allow the F.C.A.
- 6) In view of the above and having regard to the settlement arrived at between the parties, I.A.No.1 of 2022 is ordered. In such circumstances, we deem it appropriate to dispose of the appeal in terms of the compromise by dissolving the marriage between the parties.
- 7) Accordingly, F.C.A.No.50 of 2020 is allowed in terms of the compromise. Consequently, the order 10.01.2020 passed in

O.P.No.900 of 2016 on the file of the Judge, Additional Family Court, Hyderabad, is hereby set aside and the O.P. stands allowed and the marriage between the appellant and the respondent, which took place on 05.11.2009 is hereby dissolved. The Memorandum of Compromise shall form part of this judgment. No order as to costs.

8. The Registry is directed to draft the decree in terms of the compromise.

Miscellaneous petitions, if any, pending in this appeal shall stand closed.

JUSTICE G. SRI DEVI

JUSTICE M.G. PRIYADARSINI

30.08.2022
gkv/ tsr

THE HON'BLE JUSTICE G. SRI DEVI
AND
THE HON'BLE SMT. JUSTICE M.G. PRIYADARSINI

I.A. No. 1 of 2022
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(per Justice G. Sri Devi)

DATE:30.08.2022