

**THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER
AND
THE HON'BLE SMT. JUSTICE JUVVADI SRIDEVI**

FAMILY COURT APPEAL No.135 OF 2008

JUDGMENT: (Per Hon'ble Dr.SA,J)

This appeal is filed aggrieved by the order, dated 13.11.2007 passed in FCOP No.934 of 2005 by the Judge, Family Court, Hyderabad, whereby the subject FCOP filed by the respondent-wife under Section 13(i)(ia) of Hindu Marriage Act, 1955 seeking dissolution of marriage, was allowed granting decree of divorce and with a direction to the appellant-husband to pay Rs.1,50,000/- towards permanent alimony to the respondent-wife.

2. On 31.03.2022, as there was no representation for both sides, this Court was pleased to post this matter today "for orders". In spite of the same, there is no representation for both sides. Perused the record.

3. The subject FCOP No.934 of 2005 was filed under Section 13(i)(ia) of Hindu Marriage Act, 1955 by the respondent-wife seeking divorce between the parties. On behalf of the respondent-wife, P.Ws.1 and 2 were examined and Exs.P1 to P7 were marked. The appellant-husband deposed as R.W.1 and no document was marked on his behalf. The Family Court on the ground of cruelty was pleased to grant the decree of divorce and also granted an amount of Rs.1,50,000/- as permanent alimony to the respondent-wife with

interest at 12% per annum. Aggrieved by the said order, this appeal is filed.

4. The evidence of P.Ws.1 and 2 establish that the appellant-husband developed illegal intimacy with one lady, by name, Bhagyalaxmi and subjected the respondent-wife to cruelty. There is no rebuttal evidence. Taking into consideration the financial status of the appellant-husband, the Family Court was pleased to grant permanent alimony as indicated above. The amount of permanent alimony i.e., Rs.1,50,000/- with interest at 12% per annum, is not excessive. It is quite reasonable in view of the status and living condition of both the parties. In view of these circumstances, there are no grounds to interfere with the impugned order dated 13.11.2007. The appeal is devoid of merit and is liable to be dismissed.

5. Accordingly, the Family Court Appeal is dismissed.

Miscellaneous petitions pending, if any, shall stand closed.
There shall be no order as to costs.

Dr. SHAMEEM AKTHER, J

JUVVADI SRIDEVI, J

Date: 04.04.2022
ssp