

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

I.A. Nos. 1 and 2 of 2022
IN/AND
F.C.A.No.100 of 2021

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

- 1) The present appeal is filed against the order and decree dated 25.05.2021 passed in F.C.O.P.No.27 of 2017 on the file of the Judge, Family Court-cum-VI Additional District Judge at Khammam.
- 2) The appellant herein-husband filed F.C.O.P.No.27 of 2017 under Section 13(1)(ia) and (ib) of the Hindu Marriage Act seeking dissolution of the marriage on the ground of desertion by the respondent-wife. Vide order and decree dated 25.05.2021, the learned Judge, 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 I.A. Nos. 1 and 2 of 2022 to permit them to enter into compromise and to record the compromise entered between them and to

allow the FCA in terms of the compromise. A Joint Memo has also been filed along with I.A.No.2 of 2022.

4) Today the appellant and respondent are present and produced their original Aadhar Cards. They are identified by their respective counsel. In the joint Memo, 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 and respondent have agreed to take divorce by dissolving their marriage in the F.C.A.No.100 of 2021 which is filed by the appellant against the respondent aggrieved by the order and decree passed in F.C.O.P.No.27 of 2007 on the file of the Judge, Family Court-cum-VI Additional District Judge, Khammam.
- b) The appellant agreed to pay an amount of Rs.17,50,000/- (Rupees seventeen lakhs fifty thousand only) to the respondent herein towards permanent alimony, which is full and final settlement and the respondent has agreed for the same.
- c) The appellant had already paid an amount of Rs.10,00,000/- to the respondent by way of demand draft bearing No.779147, dated 13.07.2022, drawn on State Bank of India, Macha Bollaram Branch, Secunderabad and

the balance amount of Rs.7,50,000/- was deposited by way of fixed deposit vide F.D.No.579, dated 01.08.2022 before the Khammam District Advocates Thrift Credit and Consumer Stores Mutually Aided Cooperative Society Limited.

- d) After disposal of F.C.A.No.100 of 2021, which is pending before this Court and after withdrawing O.S.No.207 of 2015 by the respondent, which is pending before the Senior Civil Judge, Khammam, the respondent has agreed to withdraw the balance amount of Rs.7,50,000/-.
- 5) When examined, the parties have reiterated the contents of the joint memo and prayed to allowing the F.C.A.
- 6) In view of the above and having regard to the settlement arrived at between the parties, both the I.As. are 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.100 of 2021 is allowed in terms of the compromise. Consequently, the order 25.05.2021 passed in F.C.O.P.No.27 of 2017 on the file of the Judge, Family Court-cum-VI Additional District Judge, Khammam, is hereby set aside and the F.C.O.P. stands allowed and the marriage between the

appellant and the respondent, which took place on 11.05.2014 is hereby dissolved. The joint memo shall form part of this judgment. No order as to costs.

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

05.09.2022
gkv/ tsr

